



# Confidentiality & Peer Support Services in VHA

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# Learning Objectives

- Discuss a definition of confidentiality.
- Discuss reasons why maintaining confidentiality and obtaining informed consent are important.
- Discuss strategies for maintaining confidentiality.
- Identify examples of limits of confidentiality.
- Discuss strategies of what to do when faced with an issue involving confidentiality limits as a peer specialist in VHA.

# What is meant by “personal information?”

- This is any information that can be used to identify a specific individual.
- Examples of personal information include:
  - Name
  - Date of Birth
  - Social Security Number
  - Address
  - Telephone Number
  - Email Address
  - Photo or video image of the individual
- VA employees must treat Veterans’ personal information as confidential and must make every effort to ensure that the Veterans’ personal information is only shared with individuals who have an authorized need and use for the information.

# What is meant by “maintaining confidentiality?”

To maintain someone’s confidentiality means to keep the individual’s personal information private and to not share the information with people who do not need to know it.\*\*

- Verbal: In general, what a person says to you should remain between you. There are limits to this when thinking of Veterans who you are assisting. As part of a treatment team, you are required to document your meetings with each Veteran for whom you are providing peer support services and to consult with colleagues as needed to coordinate the Veterans’ health care and discuss emergent issues that need to be addressed to help the Veterans.
- Written: Any personal identifying information you write about a Veteran needs to be to be kept in a secure place (ex. locked cabinet with limited access to others; documented in the Veteran’s electronic medical record where access is tracked).

\*\* There are exceptions where you must share private information about a Veteran with others (ex. threat of suicide; threat of homicide; suspected abuse of children and/or elderly).\*\*

# Why is maintaining confidentiality important?

- Demonstrates respect for others
- Promotes honesty
- Fosters trust between individuals
- Ensures that the only people who have certain information are the ones who need to know it
- Demonstrates professional integrity
- Protects the rights of the Veterans who are served by the VA health care system

# Related VHA Peer Support Staff Competencies

Here are some of the expected knowledge and skills for peer specialists in VHA that are related to confidentiality and timely, effective communication with others regarding Veterans' safety and health care needs.

## Workplace Skills Domain

- Recognizes and adheres to the rules of confidentiality.
- Participates as an active member in interdisciplinary team discussions.
- Demonstrates effective communication skills and professionalism in use of technologies (ex. phone, email).

## Communication Domain

- Communicates in a timely manner with other members of a Veteran's treatment team and shares all relevant information needed to assist the Veteran with his/her goals and current needs.

## Managing Crisis and Emergency Situations Domain

- Recognizes signs of distress and threats to safety among Veterans and in their environments.
- Provides reassurance and support to Veterans in distress and works collaboratively with colleagues to connect the Veterans with clinical providers' services when needed.
- Reports suspicions of abuse or neglect to the appropriate authority in a timely manner.

# How to Maintain Confidentiality

## DO

- Discuss confidentiality with group members at the beginning of your peer support groups and whenever new Veterans join your groups. Explain the limits of confidentiality.
- Keep written notes in a safe place and enter them in the Veterans' electronic medical records within a timely manner.
- When encountering a peer support group member outside of the group, avoid "outside talk" about the group.

\*\* All of these DO's also apply to your one-on-one peer support work. \*\*

## DON'T

- Share information that you know about a Veteran you are assisting with anyone who is not providing treatment services to the Veteran.
- Tell Veterans, "Everything you say to me stays between us."
- Talk about the content of your peer support group meetings in a public place (ex. hallway; elevator; cafeteria).
- Leave written, personally identifying information about Veterans lying on a desk or in another open space unattended.

\*\* All of these DON'TS also apply to one-on-one peer support work. \*\*

# Why are there limits to confidentiality?

There are times when you are REQUIRED to share certain information with clinical staff members in VHA as part of your role.

- Protects the emotional and physical safety of the Veterans who you are assisting.
- Assists Veterans to obtain help that they may need.

# Limits of Confidentiality—Mandatory Reporting

## ➤ Threat of harm to oneself (suicidal):

- Concern generates from what the Veteran says and/or how the Veteran acts

## ➤ Threat of harm to others (homicidal):

- Concern generates from what the Veteran says and/or how the Veteran acts

# Limits of Confidentiality—Mandatory Reporting

- Veteran discusses situations where there is suspected child abuse:
  - Physical abuse
  - Emotional abuse
  - Sexual abuse
  - Neglect
  
- Veteran discusses situations where there is suspected elder abuse:
  - Physical abuse
  - Emotional abuse
  - Sexual abuse
  - Neglect

# Limits of Confidentiality

## ➤ Weapon on VHA property:

- Example: Bringing a gun or knife into one of the VHA hospital buildings, community-based outpatient centers, or VHA-operated transitional residences.

## ➤ \*\*Suspected alcohol or drug abuse:\*\*

- Depending on the VHA program where you are working, you may be required to report a Veteran's recent suspected or known substance abuse.

# Email Communication

- As a rule, staff members in VHA are not allowed to email Veterans regarding their health care. If Veterans want to communicate via email, encourage them to use My Healthvet which allows them to use secure email correspondence with their health care providers.
- If you need to email a staff member in VHA regarding a Veteran's health care, ensure that you do the following:
  - Try to send the message using VISTA which is a more secure form of email communication.
  - If you need to use Outlook, send the message using PKI encryption to protect the sensitive information in the message.
  - Never include identifying information about the Veteran in the subject heading of your email message.
  - Only send the email message to the staff members who are involved with the Veteran's health care services. Double-check email addresses as needed to ensure that you send your messages to the correct staff.
- General email etiquette:
  - Be as **brief and concise** as possible with your message.
  - DO NOT TYPE IN CAPITAL LETTERS BECAUSE IT CAN BE PERCEIVED AS AGGRESSIVE BEHAVIOR.
  - Ensure that your message only goes to the intended person(s).
  - Do not participate in email storms by responding to everyone with "I agree," "Me too," "Thanks," "Please send me the info too," etc. to a message sent out to a group of people.

# Voicemail & Text Messaging

- We all have a responsibility to protect Veterans' privacy and confidentiality to the greatest extent possible.
- If you need to leave a voicemail message for a Veteran, only leave your name, telephone number, and the best times to reach you for a return call. Do not state any information related to the purpose of your call because that information relates to the Veteran's health care, and it is possible that others may hear the message instead of the Veteran.
- Do not send text messages to Veterans for whom you are providing services. It is not a secure form of communication.
- If you exchange text messages with another VHA staff member, do not include any identifying information about a Veteran. Call or speak with the staff member in person if you need a consultation.

# Types of Social Media Forums

- Social Networks: Services that allow you to connect with other people of similar interests and background. Usually they consist of a profile, various ways to interact with other users, ability to setup groups, etc. The most popular are *Facebook and LinkedIn*.
- Media Sharing: Services that allow you to upload and share various media such as pictures and video. Most services have additional social features such as profiles, commenting, etc. The most popular are *YouTube and Flickr*.
- Microblogging: Services that focus on short updates that are pushed out to anyone subscribed to receive the updates. The most popular is *Twitter*.
- Blog Comments and Forums: Online forums allow members to hold conversations by posting messages. Blog comments are similar except they are attached to blogs and usually the discussion centers around the topic of the blog post. There are many popular blogs and forums (Grahl, 2014).

# Caution on Uses of Social Media Forums

- Interactions in social media forums (ex. *LinkedIn, Twitter, Facebook*, etc.) between peer specialists in VHA and the Veterans who they are assisting blurs professional boundaries and may pose risks under the Health Insurance Portability and Accountability Act (HIPAA) and VA Privacy Policy. These types of interactions should be avoided whenever possible (Britt, 2011).
- As a rule, peer specialists in VHA should not use social media to share any health information that could be linked to an individual Veteran receiving services, such as names, pictures, and physical descriptions, without first obtaining a signed release of information and signed consent to use picture and voice (VA Form 10-3203) from the Veteran. Even with the signed release, this information still should not be shared on any personal social media forum belonging to the peer specialist in order to avoid issues involved with confidentiality and concerns about blurred professional boundaries.

# Caution on Use of Social Media Forums

- Employees who are not officially authorized to speak on behalf of VHA must never state or infer their communications represent VHA's official position (VHA Media Management Office, n.d.).
- You should be thoughtful and careful about what you say on social media forums. Anything that you post on a social media forum may be disseminated by others to a larger audience, whether intended by you or not. Your posting could be taken out of context and remain online in perpetuity. If you identify yourself as a VHA employee, as an organization, VHA could also be tied to your comments with a detrimental impact.

# Confidentiality Vignettes for Discussion

Please refer to the handout entitled, “Confidentiality and Peer Support Vignettes,” that accompanies this PowerPoint. Read each vignette and discuss responses to each question.



# What should I do: Pre-Planning

**BEFORE** you begin facilitating a peer support group or begin meeting with a new Veteran for individual peer support services:

- Talk with your supervisor about how to handle these confidentiality limits with the Veterans you are assisting.
- Ask your supervisor or your program's director (if different than your supervisor) which staff member(s) you should immediately talk with if there is an emergency with a Veteran you are assisting.

# What should I do?: Informed Consent

As you begin working with a Veteran for individual mentoring or as a participant in one of your peer support groups, you need to do the following in regard to confidentiality:

- Explain clearly about the conditions and limits of confidentiality at the very beginning of your working relationship. This is part of informed consent.
  - Example: “As a rule, I will not disclose information without your consent. However, there are some limits of confidentiality which we will talk about now. (Discuss the circumstances when you are a mandated reporter.) You should also know that I will be writing progress notes about all of our meetings in your electronic medical record.”
- If confidentiality conditions change due to policy updates or any other unforeseen reason, discuss the new rules with the Veterans with whom you are working as soon as possible.

# What should I do in the moment?

Sometimes, a Veteran may appear angry and/or worried that you are going to tell clinical health care providers personal information that the Veteran does not want the clinical providers to know.

- Let the Veteran know that you are concerned about the welfare of everyone involved in the situation.
- Tell the Veteran that you are REQUIRED to get clinical providers involved in certain situations to help protect the safety of the Veteran and all other parties involved in the situation.
- Remind the Veteran that you are trying to help alleviate his/her suffering by connecting the Veteran to clinical providers who can assist the Veteran to get the help needed to secure the Veteran's physical and emotional safety.
- Encourage the Veteran to go with you to speak with clinical providers for assistance.

## What should I do in the moment?

If you encounter a situation that falls within the limits of confidentiality:

- IMMEDIATELY consult with your supervisor or the nearest available clinical health care provider.



# References

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