Public Information and Media Release Policy

Effective Date 08/26/08
Revised Date 01/13/10

Policy
It is the policy of the Department of Behavioral Health (DBH) to designate a Public Information Officer (PIO) to initiate, coordinate, and approve media releases and other information provided to the public. This information is in accordance with the goals and requirements of the County while ensuring the protection of privacy rights to DBH clients and workforce.

Purpose
The purpose of the Public Information and Media Contact policy is:
- To ensure DBH provides the public and media with information requested in a timely, legal, and structured manner;
- To ensure that public understanding of the County's goals, policies, programs and services is accurate.
- To protect the privacy and security rights of all DBH clients and workforce in accordance with Health Insurance Portability and Accountability Act (HIPAA).

Public Records Act
The Public Records Act - Government Code, Section 6250-6270, exists to allow public access to information in the possession of public agencies during normal business hours. DBH has up to ten (10) days to decide if information will be provided to the requesting party, or if the information requested is protected as specified in the Act. Upon written notice to the requester, DBH may give itself an additional fourteen (14) days to respond; DBH must specify the estimated date and time records will be made available [§ 6253(c)].

Responsibility
It is the responsibility of the Department's designated PIO to determine what information can be released to the public, and to respond to requests in a prompt manner. The PIO is to ensure requests are responded to within the allowable time. If the PIO requires the additional fourteen (14) days, written notice of the estimated date and time of response must be sent to the requester.

If information is contained in computer files, the PIO shall coordinate obtaining such files from the appropriate Department or unit.

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# Responsibility (continued)

Familiarity and reference to the legality of release of information, as specified in the Public Records Act, is mandatory. The PIO must be sure that records released to the public are required for release under the Act. If the request is deemed deniable, the PIO must justify withholding records by identifying provisions that deem records exempt from public release, as specified in the Public Records Act.

**Note:** PIO will consult with the Director’s Office, Chief Compliance Officer, County Public Information Officer and County Counsel, as appropriate.

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# Exceptions to Public Access of Records

DBH shall not disclose records containing medical, personnel, or similar files that would constitute an unwarranted invasion of the privacy and security of an individual in accordance with federal and state regulations.

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# Media Contact

In the event of media contact who is seeking information regarding a client or any DBH facility, DBH employees must direct the reporter/correspondent to the PIO who will respond in a way that protects the clients and workforces’ right to privacy and provides a consistent message regarding the position of DBH.

DBH workforce shall not provide answers to questions asked by the media. Advise the media that the PIO will assist in answering any questions.

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# References

- California Public Record Act – Government Code, Section 6250-6270
- 45 Code of Federal Regulations, §164.510: Uses and disclosures requiring an opportunity for the individual to agree or to object.