



## Public Information and Media Release Policy

**Effective Date** 08/26/2008  
**Revision Date** 11/17/2020

  
Veronica Kelley, DSW, LCSW, Director

**Policy** It is the policy of the Department of Behavioral Health (DBH) to designate a Public Relations Manager 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 of San Bernardino (County), while ensuring the protection of privacy rights to DBH clients and workforce.

**Purpose** The purpose of the Public Information and Media Release policy is to:

- Ensure DBH provides the public and media with requested information in a timely, legal and structured manner;
- Ensure that public understanding of the County’s goals, policies, programs and services are accurate, and
- Protect the privacy and security rights of all DBH clients and workforce in accordance with the Health Insurance Portability and Accountability Act (HIPAA) and Title 42 of the Code of Federal Regulations (CFR) Part 2.

**Public Records Act** [The Public Records Act \(Act\) – Government Code, Section 6250-6270](#), allows 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, an additional fourteen (14) days may be allotted to respond; DBH will specify the estimated date and time records will be made available.

**Responsibility** It is the responsibility of the Department’s Public Relations Manager to determine what information can be released to the public and to respond to requests in a prompt manner. The Public Relations Manager or designee shall respond to information requests within the allowable time. If the Public Relations Manager or designee requires the additional fourteen (14) days, written notice of the estimated date and time of response must be provided to the requester.

If information is contained in computer files, the Public Relations Manager or designee shall coordinate obtaining such information from the appropriate department or unit.

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## Public Information and Media Release Policy, Continued

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### Responsibility (continued)

The Public Relations Manager or designee, will ensure that records released to the public are required to be released under the Act. The Public Relations Manager or designee will reference the legality of the release of information as specified in the Act. If the request is deemed deniable, the Public Relations Manager or designee must justify withholding records by identifying provisions that deem records exempt from public release as specified in the Act.

**Note:** The Public Relations Manager 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 protected health information (PHI), personally identifiable information (PII), personnel records, or similar files that constitutes an unwarranted invasion of privacy and security of an individual in accordance with federal and state regulations.

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### Media Contact

In the event media is seeking information regarding a client or any DBH facility, DBH employees must direct the reporter/correspondent to the Public Relations Manager who will respond in a manner that protects the client's and DBH workforce's right to privacy and provides consistent messaging regarding the position of DBH.

DBH employees shall not provide answers to questions asked by the media. Employees shall advise the media reporter/correspondent that the Public Relations Manager will assist in answering questions.

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### Related Policies and/or Procedures

- DBH Standard Practice Manual
- Guidelines of Promotional, Educational and/or Informational Materials ([BOP3031](#))
  - DBH Review Panel of Promotional, Educational and/or Informational Materials Policy ([BOP3032](#))
  - DBH Review of Promotional, Educational and/or Informational Materials Procedure ([BOP3032-1](#))
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### References

- [California Public Record Act – Government Code, Section 6250-6270](#)
  - [45 Code of Federal Regulations, Section 164.510](#)
  - [42 Code of Federal Regulations Part 2](#)
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