

# DID YOU KNOW?

Greetings Department of Behavioral Health (DBH) Workforce Members,

*Did you know* it is required to complete the following when participating in and/or responding to a federal, state and/or county audit? It is important for DBH workforce members to review and adhere to the following requirements, even when responding to a mandated audit.

- Apply the *Minimum Necessary Rule* (45 CFR §164.502)
  - When member records or documents containing protected health information (PHI) are requested, ensure only the minimum necessary is disclosed. Redact member identifiers (e.g., name, address) if the information is not essential for audit purposes. Always consider what is the “minimum necessary” information required to fulfil the intended purpose for the use, disclosure, or request to protect member PHI.
- Obtain an *Oath of Confidentiality* ([COM027](#))
  - When any agency is requesting member records or documents with PHI for audit purposes (i.e., state, federal, county), DBH point of contact for the audit **MUST** obtain a signed Oath from the requester before granting access to or disclosing PHI. All authorized auditors, regardless of privacy laws that grant their access to said records/PHI, must adhere to privacy standards set forth by county, state, and federal laws.
  - Once an Oath of Confidentiality is obtained for audit purposes, a copy should be submitted to DBH Office of Compliance (Compliance) at, [DBH-Required-Acknowledgements-Disclosures@dbh.sbccounty.gov](mailto:DBH-Required-Acknowledgements-Disclosures@dbh.sbccounty.gov). Please include all related audit materials and findings with your submission. For contract partners, Oaths are to be collected/maintained internal and managed by contractor Compliance representative.
- Adhere to the DBH *Electronic Mail Policy* ([IT5005](#))
  - All member records or documents containing PHI shared with authorized recipients via email, outside of the County network [e.g., Department of Health Care Services (DHCS), Centers for Medicare & Medicaid Services (CMS), Office of Inspector General (OIG), etc.] **MUST** be encrypted.
  - Do not include member PHI in email subject lines, attachment names, or file titles. Where possible, utilize initials and/or member record number (instead of first and last name) when possible. For guidance on secure email handling, please refer to Electronic Mail Policy.

By following these practices, DBH workforce members ensure compliance while protecting member privacy during all audit activities.

If you have any questions regarding this guidance, please contact the DBH Office of Compliance at  
[Compliance\\_Questions@dbh.sbccounty.gov](mailto:Compliance_Questions@dbh.sbccounty.gov).

