



Policy: Confidentiality of Case Records

ChildNet Number: CN 001.005

Original Approved Date: June 11, 2003

**Policy Revised Date(s): November 1, 2003, December 2, 2009, June 16, 2010,
May 14, 2014, February 11, 2026**

Policy Sunset Date:

COA Standard(s): CR 1.03, 2.01, 2.02, 2.05, RPM 8.01, 8.02, 8.03, 8.04

Statement of Policy:

It is ChildNet's policy to ensure the confidentiality, integrity, and proper handling of all case records and documents in the organization's possession. This policy is intended to protect the privacy rights of children, families, caregivers, and other individuals served by ChildNet and to ensure compliance with applicable federal and Florida laws, regulations, and contractual obligations.

Board Chair's Signature:

Joseph Bunge

Date:

2/27/26



Procedure: Confidentiality of Case Records

ChildNet Number: CN 001.005

Original Approved Date: June 11, 2003

Procedure Revised Date(s): November 1, 2003; December 2, 2009; June 16, 2010, October 28, 2010, February 10, 2011, May 14, 2014, March 20, 2018, February 11, 2026

Procedure Sunset Date:

COA Standard(s): CR 1.03, 2.01, 2.02, 2.05, RPM 8.01, 8.02, 8.03, 8.04

Definitions (If any):

Statement of Procedure:

This operating procedure establishes the method to be used for ensuring confidentiality of ChildNet's case records. This is applicable to all ChildNet staff and volunteers and to all ChildNet case records.

- A. Training Requirements. All ChildNet employees, interns and volunteers must receive a copy of this operating procedure upon employment or service. Receipt of this operating procedure shall be documented in the employee's or volunteer's personnel file. Pre-service entry level training shall include current revisions to confidentiality laws and shall be available on an on-going basis. All ChildNet employees, interns, and volunteers are required to complete training on confidentiality of child welfare case records. This training shall include the current provisions of all confidentiality laws, regulations and contractual obligations and shall be updated regularly and made continuously available
- B. General Requirements.
1. Information in case records generated as a result of child abuse and neglect investigations is confidential and may be released only under specific circumstances, which are outlined in Chapter 39, Florida Statutes (related statutes listed in references below). ChildNet staff should become familiar with these statutes and should consult the ChildNet Legal Department for assistance with the appropriate response to requests for information and/or documentation.
 2. Pursuant to Section 39.202(5), Florida Statutes, the name of and any identifying information about the person reporting abuse, abandonment, or neglect is strictly confidential and must not be released (without the written consent of the person reporting) to any persons other than employees responsible for child protective services.



3. The name and all information identifying the person reporting abuse or neglect, must be redacted (blacked out) before allowing access by persons authorized by law to examine copies of records. Final reports of investigations can be printed without reporter information. Reports made public after petitioning the court must have all names and identifying information redacted prior to release. This redaction process should be reviewed by the ChildNet Legal Department prior to releasing the information.
4. Access to adoption records are governed by the provisions of section 63.162, Florida Statutes and may only be released with a court order or specific authorization. Any information in the case record that pertains to the adoption of a child must not be released without first consulting with the ChildNet Legal Department.
5. Any medical, psychological, psychiatric, school, or domestic-violence-related information in a case record that ChildNet obtained with the subject's consent may not be released without the subject's prior written authorization. When a request for information pertaining to a case in active dependency litigation is received, Children's Legal Services must be informed and consulted prior to release.
6. All records and reports of the Child Protection Team (CPT) are confidential and exempt from the provisions of sections 119.07(1) and 456.057, Florida Statutes, and shall not be disclosed, except, upon request, to the state attorney, law enforcement, DCF, and necessary professionals in furtherance of the treatment or additional evaluative needs of the child, by order of the court, or to health plan payors for insurance reimbursement purposes. The ChildNet Legal Department or Children's Legal Services must be consulted before release
7. Anyone who is provided with copies of an abuse report and related case material is subject to the same requirements to maintain confidentiality as the ChildNet employee releasing the information. For this reason and to better assist and provide the records the party is requesting, recipients of case material, other than authorized department staff and the Guardian Ad Litem representing the child, are asked to sign an affidavit that they understand their responsibility to maintain confidentiality and the penalty for violations.

C. HIV/AIDS Records Requirements.

The following procedures apply to HIV/AIDS-related records and information. All disclosures shall comply with applicable federal and Florida confidentiality laws, including HIPAA, and shall be limited to the minimum necessary information required for treatment, placement, or legally authorized purposes.

1. Case narrative documentation shall not contain any reference to a child's HIV/AIDS status, unless such information is necessary for treatment purposes or is legally required.



2. Prior to an adoptive or out-of-home care placement decision, ChildNet shall disclose the child's relevant medical condition, but not the child's name or other identifying information to prospective adoptive or out-of-home care parents. Only after the parents have made a commitment to adopt or accept the child into the home may child's identifying information be disclosed, in accordance with applicable law.
3. Out-of-home care parents shall be provided with necessary medical documentation to ensure appropriate care of the child, including HIV/AIDS status. This documentation must be maintained by the out-of-home care parents and held as confidential information with access strictly limited to the child's physician(s) and/or authorized providers of medical and dental care when treatment is required.
4. Medical documentation needed for school enrollment, day care or similar purposes must be provided separately by the treating physician and shall not disclose the child's HIV/AIDS status unless legally required.
5. Case records shall not be segregated or flagged in any way which would permit their identification as case records of HIV/AIDS infected children or family members.

D. Access to Records.

1. Pursuant to section Florida Statutes, the following persons or entities have access to department records of child abuse, neglect, or abandonment:
 - a. Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, the Department of Education, or county agencies responsible for carrying:
 1. Child or adult protective investigations;
 2. Ongoing child or adult protective services;
 3. Healthy Start services;
 4. Early intervention or prevention services;
 5. Licensure or approval of adoptive homes, foster homes, or other homes used to provide for the care and welfare of children (because licensing files are public record, any abuse or neglect records must be kept segregated to avoid inadvertent disclosure).
 - b. Employees or agents who are responsible for the provision of services to children.
 - c. Criminal justice agencies of appropriate jurisdiction, including but not limited to, Florida Department of Law Enforcement, county sheriffs' offices, local police offices, probation and parole, the Department of Juvenile Justice, and the FBI.
 - d. The Office of the Attorney General and State Attorney of the judicial circuit in



which the child resides or in which the alleged abuse or neglect occurred (access includes name of reporter).

- e. The parent or legal custodian of any child who is alleged to have been abused, neglected, or abandoned. Access must be granted no later than 30 days after ChildNet receives the initial report of abuse, neglect, or abandonment. However, any information otherwise made confidential or exempt by law (such as food stamp records, independent medical, psychological, psychiatric reports, CPT records, and HIV information) shall not be released, pursuant to this paragraph.
- f. Any person alleged in the report as having caused the abuse, neglect, or abandonment of a child. Access must be granted no later than 30 days after the department receives the initial report. When the alleged perpetrator is not a parent, the information released shall be limited to the protective investigation only. Any information otherwise made confidential (see paragraph 'e' above) shall not be released.
- g. A court upon its finding that access to such records may be necessary for the determination of an issue before the court; however, such access shall be limited to inspection *in camera*, unless the court determines that public disclosure of the information is necessary for the resolution of an issue then pending before the court.
- h. A grand jury, by subpoena, upon its determination that access to such records is necessary in the conduct of its official business.
- i. Appropriate officials of the Department of Children and Families, the Agency for Persons with Disabilities, Division of Administrative Hearings, human rights advocacy committee, Auditor General, Public Employees Relations Commission, Department of Revenue, and the Guardian Ad Litem for the child, if related to case-specific activity.
- j. Authorized persons for bona fide research, statistical, or audit purposes with the approval of the department and such persons entering a privacy and security agreement.
- k. Employees or agents of a counterpart social services agency in another state, if related to case-specific activity.
- l. Designated employee of the local school district who is designated as a liaison between the school district and the department. Also, the principal at the school where the child attends. Information contained in the records which the liaison or the principal determine are necessary for a school employee to effectively provide a student with educational services may be released to that employee.



- m. A physician, psychologist or mental health professional engaged in the care or treatment of the child.
 - n. Persons with whom the department is seeking to place the child or to whom placement has been granted, including foster parents, approved relative or non-relative with whom the child is placed, pre-adoptive parents, adoptive parents, or an adoption entity acting on behalf of pre-adoptive or adoptive parents.
2. ChildNet may release to professional persons such information as is necessary for the diagnosis and treatment of the child or the person perpetrating the abuse.
 3. ChildNet shall rely on the complete listing of authorized persons in Florida Statute and not rely solely on the listing in this operating procedure. If there is any question as to whether a record should be released, consult the ChildNet Legal Department.
 4. Notwithstanding the foregoing, ChildNet employees are not authorized to release confidential information and/or case records based solely on the requestor's status. All requests for access to confidential records shall be referred to the ChildNet Legal Department for review and determination in accordance with applicable federal and State law and other confidentiality and contractual requirements.

E. Penalties

1. A person who knowingly and willfully makes public or discloses to any unauthorized person any confidential information contained in the central abuse registry is subject to the penalty provisions of section 39.205, Florida Statutes (second degree misdemeanor).
2. A person who unlawfully discloses HIV/AIDS information is subject to the penalty provisions of section 384.34, Florida Statutes (first degree misdemeanor).

F. References

Florida Statutes: Sections 39.0132; 39.202; 39.2021; 39.205; 63.162.
CFOP 170-1.

President's Signature: _____

Date: _____

2/27/26