



General Principles To Keep In Mind Regarding Survivor Confidentiality and Releases

- A. **State and federal laws and regulations apply.** Laws may apply differently to different partners who work with survivors.
- B. **An agency cannot require a survivor to provide a release of information in order to receive services.** Agencies do not need a release of information form from a survivor in order to provide him or her with services.
- C. **Survivors should be notified** of what information a program has about them, and how their information will be used.
- D. **Releases of information should be client-centered** to enhance services provided to the survivor and not for the sole purpose of easing the program's administration.
- E. **Always consider the most protective privacy option.** Before obtaining a release of information, determine whether there is another way to accomplish the purpose without the advocate or agency releasing the survivor's personally identifying information.
- F. Releases of information must be **written, informed, and reasonably time-limited.**
- G. **A release of information is required if** an agency or advocate is asked by the survivor to release specific pieces of their individual personally identifying information outside of the advocate's own agency or program.
- H. **A release of information may not be required if** there is a court mandate or statutory obligation to report, such as suspected child abuse or neglect.
- I. **Survivors should be notified** when a report is made under a court mandate or statutory obligation.
- J. **Whenever releasing information about a survivor, programs and advocates should keep in mind the "minimum necessary concept,"** meaning that even with a release or mandatory report, share only the information necessary to accomplish the survivor's purpose or to meet the requirements of the reporting obligation, and only have that release open for the amount of time necessary to meet the survivor's needs.

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