

Carbon-Monroe-Pike Mental Health and Developmental Services

E-MAIL INFORMED CONSENT FORM

Carbon-Monroe-Pike MH/DS provides consumers the opportunity to communicate with their case managers by e-mail. Transmitting consumer information by e-mail, however, has a number of risks, both general and specific, that consumers should consider before using e-mail.

Risk Factors

Among general e-mail risks are the following:

- E-mail can be immediately broadcast worldwide and be received by many intended and unintended recipients.
- Recipients can forward e-mail messages to other recipients without the original sender's permission or knowledge.
- Users can easily misaddress e-mail.
- E-mail is easier to falsify than handwritten or signed documents.
- Backup copies of e-mail may exist even after the sender or the recipient has deleted his or her copy.

Among specific consumer e-mail risks are the following:

- E-mail containing information pertaining to a consumer's diagnosis and/or treatment must be included in the consumer's medical records. Thus, all individuals who have access to the medical record will have access to the e-mail messages.
- Employees do not have an expectation of privacy in e-mail they send or receive at their place of employment. Thus, consumers who send or receive e-mail from their place of employment risk having their employer read their e-mail.
- If employers or others, such as insurance companies, read an employee's e-mail and learn of medical treatment, particularly mental health, sexually transmitted diseases, or alcohol and drug abuse information, they may discriminate against the employee/consumer. For example, they may fire the employee, not promote the employee, deny insurance coverage, and the like. In addition, the employee could suffer social stigma from the disclosure of such information.
- Consumers have no way of anticipating how soon Carbon-Monroe-Pike MH/DS and its employees and agent will respond to a particular e-mail. Although Carbon-Monroe-Pike MH/DS and its employees and agents will endeavor to read and respond to e-mail promptly, Carbon-Monroe-Pike MH/DS cannot guarantee that any particular e-mail message will be read and responded to within any particular period of time. Case managers and other staff rarely have time during appointments, staff meetings, meetings away from the facility, and meetings with

consumers and their families to continually monitor whether they have received e-mail. Thus, consumers should not use e-mail in a medical emergency.

Conditions for the Use of E-mail

It is the policy of Carbon-Monroe-Pike MH/DS that information concerning the diagnosis or treatment of a consumer, will not be transmitted via e-mail. Any information that should be part of a consumer's chart, that has been transmitted via e-mail will be made part of that consumer's medical record, and such e-mail messages will be treated with the same degree of confidentiality as afforded other portions of the medical record. Carbon-Monroe-Pike MH/DS will use reasonable means to protect the security and confidentiality of e-mail information. Because of the risks outlined above, Carbon-Monroe-Pike MH/DS cannot, however, guarantee the security and confidentiality of e-mail communication.

Thus, consumers must consent to the use of e-mail any exchange of information after having been informed of the above risks. Consent to the use of e-mail includes agreement with the following conditions:

- All e-mails to or from the consumer, concerning that consumer, that should be part of the medical record, will be made a part of the consumer's records. As a part of the record, other individuals, such as physicians, nurses, physical therapists, consumer accounts personnel, and the like, and other entities, such as other healthcare providers and insurers, will have access to e-mail messages contained in medical records.
- Carbon-Monroe-Pike MH/DS may forward e-mail messages within the facility as necessary for scheduling appointments and for the facilitation of routine business activities. Carbon-Monroe-Pike MH/DS will not, however, forward the e-mail outside the facility without the consent of the consumer or as required by law.
- If the consumer sends e-mail to Carbon-Monroe-Pike MH/DS, one of its staff members will endeavor to read the e-mail promptly and respond promptly, if warranted. However, Carbon-Monroe-Pike MH/DS can provide no assurance that the recipient of a particular e-mail will read the e-mail message promptly.
Because Carbon-Monroe-Pike MH/DS cannot assure consumers that recipients will read e-mail messages promptly, consumers must not use e-mail in an emergency.
- If a consumer's e-mail requires or invites a response, and the recipient does not respond within a reasonable time, **the consumer is responsible for following up to determine whether the intended recipient received the e-mail and when the recipient will respond.**
- Because some information is so sensitive that unauthorized disclosure can be very damaging, **consumers should not use e-mail for communications concerning diagnosis or treatment of AIDS/HIV infection; other sexually transmissible or communicable diseases, such as syphilis, gonorrhea,**

herpes, and the like; mental health or developmental disability; or alcohol and drug abuse.

- Because employees do not have a right of privacy in their employer's e-mail system, consumers should not use their employer's e-mail system to transmit or receive confidential information.
- Carbon-Monroe-Pike MH/DS cannot guarantee that electronic communications will be private. Carbon-Monroe-Pike MH/DS will take reasonable steps to protect the confidentiality of consumer e-mail, but is not liable for improper disclosure of confidential information not caused by Carbon-Monroe-Pike MH/DS gross negligence or wanton misconduct.
- If the consumer consents to the use of e-mail, he/she is responsible for informing Carbon-Monroe-Pike MH/DS of any types of information the consumer does not want to be sent by e-mail other than those set out in paragraph 3, above.
- Consumer is responsible for protecting his/her password or other means of access to e-mail sent or received from Carbon-Monroe-Pike MH/DS to protect confidentiality. Carbon-Monroe-Pike MH/DS is not liable for breaches of confidentiality caused by consumer.
- **Any further use of e-mail by the consumer that discusses diagnosis or treatment by the consumer constitutes informed consent to the foregoing.** You may withdraw consent to the use of e-mail at any time by e-mail or written communication to Carbon-Monroe-Pike MH/DS attention: Director of Information (MIS Director).

**Carbon-Monroe-Pike
Mental Health and Developmental Services**

E-MAIL INFORMED CONSENT FORM

I, _____ have read and understand the Carbon- Monroe-Pike MH/DS E-mail Policy and E-mail Informed Consent Form.

I hereby give consent to MH/DS employees to communicate with me by e-mail.

I do not consent to e-mail communication with MH/DS employees.

I understand that I may at any time change my decision regarding e-mail communication, and I agree to submit any change in writing to my case manager.

Consumer / Date

Consumer Email

MH/DS Employee / Date

MH/DS Employee Title