

3701-8-10.1 Procedural safeguards to ensure parent's rights in help me grow.

This rule applies to home visiting contractors, early intervention service coordination contractors, and central coordination contractors, all of whom are referenced throughout this rule as contractors. Expectant mothers, parents of infants or toddlers, and eligible infants and toddlers are referred to in this rule as program participants.

- (A) Contractors shall ensure that program participants are informed, in writing, of their rights in help me grow (HMG), before consent to participate is sought and at least annually thereafter for the duration of program participation.
- (B) Contractors shall ensure that program participants provide written consent in every applicable instance related to their services as required in paragraph (A)(2) of rule 3701-8-10 of the Administrative Code.
- (C) Except when authorized by state or federal law, contractors shall ensure that prior to releasing personally identifiable information to any individual other than the subject of the information or if a child, to the child's parent, contractors shall obtain written consent on form HEA 8019 (effective July 1, 2012) with the minimum following components completed:
 - (1) The individual, and when applicable, agency, to whom information will be given;
 - (2) The type of information that will be given;
 - (3) The intended purpose for sharing the information;
 - (4) An expiration date of the consent; and
 - (5) A signature and date the form was signed.
- (D) Contractors shall ensure that program participants are granted access to information in the program participant's own record in accordance with the following:
 - (1) Provide access to inspect and review the record within ten calendar days upon request;
 - (2) Records shall include information related to eligibility determination, tools used in screening, evaluation, or assessment; development and implementation of individualized family service plans or family plans; referrals made or received; provision of services; individual complaints; case notes, and any other information that is part of the record;
 - (3) Upon request and with written consent, allow a representative named by the program participant to examine record;
 - (4) A copy of the complete record, in accordance with paragraph (D)(2) of this rule, is available upon request, for a minimum of six years after the receipt of payment for services provided. When a record is requested:
 - (a) Contractors shall provide a copy, either electronically or on paper, of the requested record as soon as possible, but no longer than ten calendar days

after the request is made;

- (b) A copying fee may be charged for the actual cost of copies, but a program participant may not be charged a fee for the search or retrieval of the record or for staff time to copy, scan or send the record;
 - (c) A fee shall not be charged if charging a fee would prevent the parent from obtaining a copy of the child's record;
 - (d) When a record includes information on more than one child, the program participant has a right only to the information related to the program participant or the program participant's child; and
 - (e) Contractors shall ensure that, upon request, a program participant is provided an explanation and interpretation of information contained in the record and the opportunity to provide additional information for inclusion in the record.
- (5) Contractors shall provide one electronic or paper copy of each completed family plan and IFSP, as applicable, at no cost to the program participant within ten calendar days of the event.
- (E) Contractors shall provide printed materials and verbal communication informing every program participant how to file a complaint about the help me grow program, in accordance with paragraph (A)(11) of rule 3701-8-10 of the Administrative Code.

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Certification

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