

Information Sharing Guidance

Child Welfare and Children's Advocacy Centers

Overview

Oregon Department of Human Services (ODHS) Child Welfare (CW) and Children's Advocacy Centers (CACs) may share information, reports, photographs, and other relevant information for the purpose of investigating, preventing or treating child abuse. This information sharing is guided by Oregon Revised Statute (ORS) and local Multi-disciplinary Team (MDT) protocols.

Oregon Revised Statute (ORS) Legal Authority

ORS 418.795 – Confidentiality of Information and Records

- All information obtained by MDTs or Child Fatality Review Teams is confidential but may be disclosed when necessary to support a child abuse investigation or child fatality review.
- Agencies and MDT members may share protected health information (PHI) without authorization if needed for public health purposes, including child abuse prevention and intervention.

ORS 419B.035 (3)

ODHS has broad discretion to release records, including photographs, when necessary to:

- Administer child welfare services in the best interests of the child, or
- Support the investigation, prevention, or treatment of child abuse or neglect.

ORS 418.780

The creation of MDTs and CACs reflects the Legislature's recognition of the need for a coordinated, multidisciplinary approach to child abuse prevention and investigation. Timely and appropriate information sharing is essential to fulfilling that purpose.

Information sharing process

Open Case: If there is an open Child Protective Services Assessment or open Child Welfare case, the CAC should contact the assigned worker and request the information.

Closed Case: If there is not an open Child Protective Services Assessment or open case with Child Welfare and the CAC is seeing the child at their Center, please email your specific request on agency letterhead to: recreq.orchildhot@odhs.oregon.gov

Additional considerations

CONFIDENTIALITY NOTICE: The information shared by Child Welfare contained is confidential and legally privileged. It is intended only for the purposes of investigating, preventing or treating child abuse and neglect. If you are not the intended recipient, you are hereby notified that the disclosure, copying, distribution, or taking of any action in regard to the contents of this report – except its direct delivery to the intended recipient – is strictly prohibited.

REDISCLASURE PROHIBITED: Under ORS 419B.035 Confidentiality of records; when available to others; rules. (1) Notwithstanding the provisions of ORS 192.001 to 192.170, 192.210 to 192.478 and 192.610 to 192.810 relating to confidentiality and accessibility for public inspection of public records and public documents, reports and records compiled under the provisions of ORS 419B.010 to 419B.050 are confidential and may not be disclosed except as provided in this section. (3) ... The name, address and other identifying information about the person who made the report may not be disclosed pursuant to this subsection and subsection (1) of this section.