

Sharing Student Health Information at School

Have you ever wondered about how or what you can or should share about a student's health condition? If you have, then you need to know that this can and should be done for student's identified with chronic and other health conditions (asthma, life-threatening allergy, diabetes, etc.).

Listen to this enlightening, 14 minute podcast for clear answers about sharing information appropriately:

Confident about Confidentiality? HIPAA/FERPA Made Easy – Martha Bergren, June 2009

<https://www.jackstreet.com/jackstreet/WNASN.Bergren.cfm>

Notes from this podcast:

Health Conditions Lists or Alerts were the traditional practice prior to the Family Educational Rights and Privacy Act (FERPA).

Example:

John Jones – asthma Mary Sweet – food allergy

There are issues with a list such as this:

1. Violation of FERPA – this list would only be allowed to be shared with those who have an educational interest, so this list would not be able to be shared with the entire staff.
2. Not enough information – this list does not inform anyone of the symptoms, triggers or health care plan which is necessary to properly care for the student.

Solutions:

1. The staff can create their own lists or personal notes regarding students as these are not covered by FERPA. The school nurse can provide the teachers with a list of students and have the teachers fill in the information. Risk-management and practice standards require supplying teachers with the students' care plans also.
2. School nurses can share information about a student's health status and care without parental permission if the school is expected to keep the child safe or provide treatment for that student at school. However plans should be created in partnership with the parents and many nurses request written authorization to release information.
3. The Centers for Disease Control and Prevention include sharing plans with appropriate faculty and staff in accordance with FERPA guidelines or with written authorization as a strategy for *Addressing Asthma Within a Coordinated School Health Program*.
4. Schools may wish to use a disclosure or statement informing parents and guardians that the Student's health information will be shared according to FERPA.

Example:

(Insert School District) will protect this information as prescribed by the Family Educational Rights and Privacy Act (FERPA) and that the information becomes part of the student's educational record. The information will be disclosed with individuals working at or with the School District for the purpose of providing safe, appropriate, and least restrictive educational settings and school health services and programs.

This information is required to be in the annual notice of information practices required by FERPA, but a statement like this is not a substitute for written authorization.

Sources: Schwab, N. C., Rubin, M., Maire, J. A., Gelfman, M. H. B., Bergren, M. D., Mazyck, D. & Hine, B. (2005). *Protecting and sharing student health information: Guidelines for developing school district policies and procedures*. Kent, OH: ASHA.

www.nasn.org Bookstore

Approved: Greg Perry, Perry Law Firm

06/11- 08/16