

<b>Topic:</b>	The Statewide Release of Information (DHS form 3010)
<b>Date Issued/Updated:</b>	10/30/2019

## Overview

Oregon has a new form that will allow state social service agencies to easily share information as needed and permitted by your clients. [The statewide release of information, DHS form 3010](#) (titled Authorization for Sharing Individual Information, shall be used if a release is needed for agencies to coordinate and share information for the delivery of social services. State social service agencies include Oregon's Department of Human Services (DHS), as well as its subdivisions, including ODDS. It also includes contractors and agents (meaning ODDS case management entities and ODDS providers).

**Purpose/Rationale:** *Why* the required form 3010 will help our work:

- Help coordinate delivery of services, particularly when a person is simultaneously served by multiple agencies.
- Decrease duplication caused when a person has to recreate information for multiple agencies.
- Reduce unnecessary paperwork and office visits for clients to get services.
- Decrease time spent getting information.
- Support the person to make an informed choice about sharing information.
- To implement SB 397 which was passed during the 2017 legislative session.

## **Applicability:**

Instructions for the 3010 are embedded in the form itself. Additional FAQs are provided below. More information regarding use of the 3010 for purposes of ODDS and VR-funded employment services can be found in the related [Employment First Worker's Guide](#) and in other training resources found on the [Employment First I/DD Policy Page](#).

### **1. Who is required to use the 3010?**

Oregon's state social service agencies are required to use [the Statewide release of information, DHS form 3010](#) when needed to share client information between

ODDS and other state social service agencies (including contractors and agents like case management entities and providers).

## **2. What will happen to the DHS 2099?**

The 3010 will replace the DHS 2099 release form, and the 2099 will be removed from the DHS forms page. Use the 3010 for new releases. Releases already in place are still effective until a new release is needed.

## **3. Are medical providers required to accept the 3010?**

Non-state and non-social service entities are not required to use the 3010 (e.g. health care providers releasing disability related information needed by social service agencies to determine eligibility for services), although some may choose to use it. Many of the same health care providers that accepted the DHS 2099 ROI are also accepting and using the DHS 3010.

## **4. When is an ROI required?**

If an ROI is needed, then use the 3010. The following guidance addresses some of the most common circumstances.

## **5. Is a release needed for a transfer between counties and/or brokerages for developmental disabilities services?**

No. This is because county entities are considered to be working together to provide services, and exceptions to federal and state laws requiring a release apply. Even private contracted entities that function as CDDPs are expected to share files with DHS, therefore there is no need to get a release from the client in order to transfer files between counties.<sup>1</sup>

## **4. Can one entity redisclose documents that they obtained from another entity? Does it matter if the information is medical information?**

Yes, the medical and other records may be redisclosed, unless the client has specified otherwise. A release should be in place if required.

Psychotherapy notes, however, are specially protected information under HIPAA and their re-release should be explicitly consented to by the client.

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<sup>1</sup> See ORS 411.320 regarding disclosure and use of records limited to purposes connected to administration of public assistance programs. See also 45 CFR 164.512(k)(6)(2) regarding uses and disclosures for which an authorization or opportunity to agree or object is not required under HIPAA.

**5. Can a person agree to release information to a provider that has not yet been identified by indicating: “provider – TBD”?**

A person may decide up front to release information to a provider that has not yet been identified, and complete a valid release by indicating “provider – TBD.”

However, the following information must be clear for the person:

- a. That the information will be shared with a provider, or providers, once they’ve been chosen.
- b. The “purpose” for sharing the information (e.g. employment services, residential services, ODDS services, etc).
- c. The information that will be shared.

Depending on the circumstances (i.e. the person is unsure), it may make sense to complete a separate release for the provider once they have been identified. A person may want to wait and meet with the provider in order to make a decision about sharing information. This is fine. The process is intended to be person-centered, individualized, and meet the person’s specific needs and circumstances.

**6. Can a person agree to release documents to multiple agencies simultaneously even if the person will ultimately select one of the providers?**

Yes. A person can agree to release documents to multiple agencies simultaneously, even if the person will only ultimately select one of the providers, and the information will only be sent to the selected provider.

**7. How specific does the name of the releasing or requesting entity need to be in the 3010 form? Can the release be for an agency generally or does a particular office have to be specified?**

Depending on the circumstances, it may make sense to refer to the agency more generally under “entity name”, and then refer to the particular office under “contact person.” For example:

Entity name: Department of Human Services – ODDS  
Contact person: Name of case manager, Marion County CDDP

See also example 3010 templates on [ODDS Case Management Tools page](#) and [I/DD Employment Policy page](#).

### Form(s) that apply:

- [Statewide Release of Information form: DHS Form 3010](#) (Authorization for Sharing Individual Information, commonly referred to as the Statewide Release of Information).
- DHS forms page: [https://aix-xweb1p.state.or.us/es\\_xweb/FORMS/](https://aix-xweb1p.state.or.us/es_xweb/FORMS/).
- DHS 12/20/18 transmittal announcing the publication of the 3010.
- [Employment First Statewide Referral \(DHS Form 4130\)](#).
- Residential Referral tools:
  - [Adult Residential Referral \(DHS Form 4123\)](#);
  - [Referral instructions \(DHS 4123i\)](#);
  - Adult [Residential Referral Packet Checklist](#) (DHS Form 2720).

### Technical Assistance:

- Email Employment First with questions, or to schedule a training: [employment.first@state.or.us](mailto:employment.first@state.or.us)
- ODDS [regional employment specialist](#) may provide technical assistance related to using the 3010 for application for employment services. Contact: [employment.first@dhsosha.state.or.us](mailto:employment.first@dhsosha.state.or.us); or <https://www.oregon.gov/DHS/EMPLOYMENT/EMPLOYMENT-FIRST/Documents/VR-ODE-ODDS-Regional-Employment-Specialists.pdf>
- The ODDS field liaison team may answer questions related to using the 3010 for other ODDS services. Contact: [ODDS.FieldLiaison@dhsosha.state.or.us](mailto:ODDS.FieldLiaison@dhsosha.state.or.us)

### **Employment specific resources:**

The [Employment First I/DD Policy Page](#) includes links to a number of Technical Assistance resources including:

- The [Employment First Worker's Guide](#) regarding the Employment First Referral and Release of Information.
- An online webinar that answers some common questions.
- Contact information for [Employment First regional specialists](#) who may provide further technical assistance. See also above.

### Contact(s):

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