DONA INTERNATIONAL

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CLIENT CONSENT AND HIPAA GUIDELINES

DONA International certification candidates have always been required to get their clients' consent and signatures for release of information in order to use those labor and postpartum support experiences for certification purposes. Increasingly, DONA International has become aware of instances where doulas (whether certification candidates or not) were not allowed in their clients' rooms for exams or the taking of vital signs and were not allowed to be with their clients during triage, citing Health Insurance Portability and Accountability Act (HIPAA) regulations. The interpretation of HIPAA guidelines and its everyday use vary widely and in a range of ways.

While doulas are not medical care providers, they do gather some personal and health information from their clients to be able to fully serve them. While the permission to have that information may be implied by having hired the doula, and the information may be shared voluntarily, DONA International feels it best to recommend that ALL doulas have their clients sign the *Client Confidentiality Release Form.* In the spirit of being fully compliant with the HIPAA guidelines, DONA International is recommending that the Release Form be signed ***before*** taking notes about any client. Clients should receive a copy of the form they signed, in a language they understand, and the doula should have the original signed Release Form with her/him at the labor and birth in order to show that s/he is indeed complying with the HIPAA regulations, if questioned. Use the DONA International *Client Confidentiality Release Form* with all clients.

DONA International is not aware of any legal challenges against doulas at this point. DONA International has always stressed confidentiality of any personal information. While all DONA International members and doulas are bound by the DONA International Code of Ethics, HIPAA requires a consent signature *from the person whose information is being collected.*

DONA International has developed this form to allow ALL doulas, whether they are uncertified, certification candidates or DONA certified, to be in compliance with these regulations. DONA International also hopes that it will raise awareness among all doulas about the importance of confidentiality in all instances and in all forums.

While HIPAA is a law only in the United States, all doula clients have the right to privacy and confidentiality and have the right to know what their doulas will do with the information they gather and become aware of during the course of their work.

DONA International requires the client's signature for all certifying support experiences, and very strongly recommends that ALL doulas address this issue, discuss it with their clients, and receive each of their client's signatures prior to taking any kind of notes.

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Client Confidentiality Release Form

Due to current confidentiality regulations, all doulas should have a signed release form from their client ***before*** taking any notes about the client or the client's labor, birth or postpartum. The best way to be fully compliant would be to get this release signed at the first prenatal visit, or upon first meeting and joining the client.

Certification candidates should have this form signed before taking any notes. The client should receive a copy of the signed form, and the doula should have the original signed form with her/him at all times to be able to show that s/he is indeed complying with confidentiality regulations, if questioned. **Confidentiality of medical and personal information obtained during the course of the doula's work is of the utmost importance**. Failure to comply with these confidentiality regulations could result in penalties.

I, _____ (Client), at _____ (Address)

_____, _____ (Phone Number),

give permission for my doula, _____ (Doula's Name), to take notes about me, including personal information I choose to disclose, and information regarding my labor, birth and postpartum, as well as any information regarding my child/ren. I understand that this information may be used for the purpose of doula certification and will be shared with the Certification Committee of DONA International. I realize that this information will be shared with the doula that is providing backup support. I also understand that this information will anonymously be used by the DONA International Data Collection Committee for statistical purposes and that my doula may use this information to provide me with a summary for my own personal use.

Signature _____ Date _____

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