

Please read and complete the following pages carefully. Be as thorough as possible and print legibly.

- ❖ Workforce Confidentiality Agreement
- ❖ Child Abuse Reporting Obligation
- ❖ Elder & Dependent Adult Abuse Reporting Obligation
- ❖ Spousal & Domestic Abuse Reporting Obligation



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# Workforce Confidentiality Agreement

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*I understand that I may have access to information that is confidential and may not be disclosed except as permitted or required by law and by California Pacific Medical Center (CPMC) policies and procedures. This information includes, but is not limited to, protected health information, personnel information and business operations information. I understand that I am committed to protect and safeguard from disclosure all confidential information regardless of the type of media on which it is stored (e.g. paper, micro-fiche, voice tape, computer systems). I agree that I will not disclose any confidential information from any record or information system to any unauthorized person.*

I understand that:

- I am obligated to hold confidential information in the strictest confidence and not to disclose the information to any person or in any manner that is inconsistent with applicable law or the policies and procedures of CPMC.
- I acknowledge that I may not use or disclose any confidential records of a friend, relative, staff member, volunteer or any other person, unless I am authorized to do so and am required to do so as part of my official duties. Such use and disclosure must be restricted to that required for essential business purpose(s).
- I will not discuss or allow confidential information of any type to be displayed or overheard in the proximity of any individual who does not have the right or need to know. This includes conversations in public places or private spaces where they may be easily overheard, allowing computer screens to be inappropriately visible, and leaving printed material where it may be openly viewed.
- In order to access certain information, a unique User ID, Security Code, Password, Access Device or Biometric ID may be established that identifies me to CPMC Information Systems. My authentication codes and devices are for my use only when accessing facilities, systems and information appropriate to my work (although my supervisor or other authorized personnel may have access to such codes). To use anyone else's authentication code or device in order to access any CPMC system is considered a violation of CPMC confidentiality and security standards.
- All information obtained from CPMC systems remains the property of CPMC regardless of physical location or method of storage, unless otherwise specified by CPMC in writing.
- If I believe that information confidentiality or security may be compromised in any way, either through the possible disclosure of sign-on information or the direct unauthorized access of information, either intentional or accidental, I shall contact my direct supervisor and/or the Sutter Health Compliance Department as soon as possible.
- User accounts or access to electronic information may be disabled without prior notice by the Chief Data Security Officer, Chief Information Officer or their designee when, in their opinion, they hold a reasonable belief that a user's account may be compromised or is being used for inappropriate access to information.
- I understand that my privileges are subject to periodic review, revision, and if appropriate, renewal. I understand that all access to CPMC systems is subject to monitoring and review as deemed appropriate by CPMC.
- If at any time I feel that the confidentiality of my password(s), sign-on(s) or identification device(s) has been compromised, I will notify the CPMC Help Desk immediately so that my old code(s)/device(s) can be cancelled and new ones issued.
- My confidentiality obligation continues indefinitely.
- This Agreement does not supercede any other rules or expectations regarding the use or disclosure of confidential information that may be contained in other CPMC documents. Such documents include, but are not limited to, job descriptions, policies, employee handbooks and department procedures.

I understand that any access, attempted access, or disclosure of information in violation of law or CPMC policies will be considered a breach of confidentiality. I understand that if I breach such confidentiality, I may be subject to immediate disciplinary action, up to and including termination.

My signature below acknowledges that I agree to abide by the terms of this agreement.

**Signature**

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**Print Name**

**Date**

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**Department**

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# Child Abuse Reporting Obligation

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Section 11166 of the California Penal Code requires that any child care custodian, medical practitioner, non-medical practitioner, or employee of a child protective agency who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of a child abuse to report the known or suspected instances of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. For the purpose of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position drawing when appropriate on his or her training and experience, to suspect child abuse.

"Child care custodian" includes teachers, administrative officers, supervisors of child welfare and attendance, or certificated pupil personnel employees of any public or private school; administrators of a public or private day camp; licensed day care workers; administrators of community care facilities licensed to care for children; Headstart teachers; licensing workers or licensing evaluators; public assistance workers; employees of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities; and social workers or probation officers.

"Medical Practitioner" includes physicians and surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, or any other person who is licensed under Division 2 (commencing with section 500) of the Business and Professions Code.

"Non-medical practitioner" includes state or county public health employees who treat minors for venereal disease or any other condition; coroners; paramedics; marriage, family or child counselors; and religious practitioners who diagnose, examine, or treat children.

When two or more persons who are required to report are present and jointly have knowledge of a known or suspected instance of child abuse, and when there is agreement among them, the telephone report maybe made by a member of the team selected by mutual agreement and a single report may be made and signed by such selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so, shall thereafter make the report.

The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties and no person making such a report shall be subject to any sanction for making the report. However, the internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with the provisions of this article. (Refer to California Pacific Medical Center Policy and Provisions, CHILD ABUSE.)

11166.5 Any persons who enters employment on and after January 1, 1985 as a child care custodian, medical practitioner, or non-medical practitioner, or with a child protective agency, prior to commencing his or her employment, shall sign a statement on a form provided to him or her by his or her employer to the effect that he or she has knowledge of the provisions of Section 11166 and will comply with its provisions.

11171. A physician and surgeon or dentist or other agents and by their direction may take skeletal x-rays of the child without the consent of the child's parent or guardian, but only for purposes of diagnosing the case as one of possible child abuse and determining the extent of such child abuse.

Neither the physician-patient privilege nor the psychotherapist-patient privilege applies to information reported pursuant to this patient article in any court proceeding or administrative hearing.

11172. No child care custodian, medical practitioner, non-medical practitioner, or employee of a child protective who reports a known or suspected instance of child abuse shall be civilly or criminally liable for any report required or authorized by this article.

Any person who fails to report an instance of child abuse which he or she knows to exist or reasonably know to exist, as required by this article, is guilty of a misdemeanor and is punishable by confinement in the county jail for a term not to exceed six months or by a fine of not more than one thousand dollars (\$1000) or both.

I have read and understand the above statement and will comply with the Child Abuse Reporting requirements of California Penal Code 11166.

**Signature**

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**Print Name**

**Date**

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# Elder & Dependent Adult Abuse Reporting Obligation

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Section 15630 of the Welfare and Institutions Code requires any care custodian, health practitioner, or employee of an adult protective services agency or a local law enforcement agency who in his or her professional capacity or within the scope of his or her employment either has observed an incident that reasonably appears to be physical abuse, has observed a physical injury where the nature of the injury, its location on the body, or the repetition of the injury, clearly indicates that physical abuse has occurred, or is told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse either to the long-term ombudsman coordinator or to a local law enforcement agency when the physical abuse is alleged to have occurred in a long-term facility, or to either the county adult protective services agency, or to a local law enforcement agency when the abuse is alleged to have occurred anywhere else, immediately or as soon as possible by telephone, and shall prepare and send a written report thereof within 36 hours.

"Care custodian" means an administrator or an employee except persons who do not work directly with elders and dependent adults as part of their official duties, including members of support staff and maintenance staff of any of the following public or private facilities when the facilities provide care for elders or dependent adults.

24 Hr Health Facilities	Foster Homes
Clinics	Community Care Facilities
Home Health Agencies	State Department of Social Services and State Department of Health Services
Licensing Division	
Adult Day Health Care Centers	County Welfare Departments
Secondary and Post-Secondary Schools	Office of Patients' Rights Advocates
Camps	Office of the Long Term Care Ombudsman
Sheltered Workshops	Offices of the Public Guardian or Conservator
Respite Care Facilities	Any Other Protective or Public Assistant Agencies or Social Services to Elder or Dependant Adult
	Regional Center for Persons Developmentally Disabled

"Health Practitioner" means a physician and surgeon, psychiatrists; psychologists; dentists; resident; intern; podiatrist; chiropractor; licensed nurse; dental hygienist; licensed clinical social workers; marriage, family, and child counselor; or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, a person certified pursuant to Division 2.5 (commencing with Section 1797) of the health and Safety Code, or a psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family and child counselor trainee, as defined in subdivision (C) of the Section 4980.03 of the Business and Professions Code or an unlicensed marriage, family, and child counselor inter registered under Section 4980.44 of the Business and Professions Code, a state or county public health employee who treats an elder or dependent adult for any condition, a coroner, or a religious practitioner who diagnoses, examines, or treats dependent adults.

The California Welfare & Institutions Code require that every custodian employee and health practitioner of a health care facility, shall, as a condition of continued employment, sign a statement acknowledging his or her obligation to report instances of elder and dependent adult abuse as defined in the attachment statement.

In compliance with this, you are required to review and sign the attachment statement. Please note that signing the document does not create any legal obligations that you do not already have; it merely is an acknowledgement that you have been made aware of what your obligations are. I have read and understand the above statement and will comply with the Elder and Dependent Adult Abuse requirements of California Welfare and Institutions Code Sections 15630.

This signed statement shall be retained by the Hospital, and the cost of printing, distribution and filing of this statement shall be borne by the Hospital. As signing the attachment statement is now a mandatory requirement of California law, your prompt cooperation is required.

Signature

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Print Name

Date

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# Spousal & Domestic Abuse Reporting Obligation

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California Assembly Bill 1652 requires that any health practitioner employed in a health facility, clinic, or physician's office report to a law enforcement agency any knowledge of, or observation based on professional capacity or within the scope of employment, a patient whom s/he knows or reasonably suspects is a person to have suffered from any wound or injury inflicted by self or other by means of a knife, gun, pistol or other deadly weapon, or where injuries have been inflicted in violation of any penal law or as a result of assault or abusive conduct.

AB 1652 (i) imposes a duty as well as (ii) creates immunity from civil and criminal liability for the person upon whom the duty is imposed. The duty to report is a duty of the employee rather than the health facility.

The law puts the obligation to file reports on "all health care practitioners who are employed in a health facility, clinic, or physician's office." This includes at least the following providers: physician and surgeons, psychiatrists; psychologist; dentist; resident; intern; podiatrist; chiropractor; licensed nurse; dental hygienist; licensed clinical social worker; marriage, family, and child counselor; MFCC and interns and trainees in this field, occupational therapists, optometrist and registered dispensing opticians, physical therapists, any emergency medical technician I or II, paramedic, podiatrists, social workers, speech pathologists.

A violation of this article is a misdemeanor, punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding one thousand dollars (\$1000), or by both that fine and imprisonment.

Signature

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Print Name

Date

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