

MAR 10 2004

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5 **SUPERIOR COURT OF CALIFORNIA**
6 **COUNTY OF LOS ANGELES JUVENILE COURT**

8 The Local Initiative Health Authority for Los)
Angeles County)
9 (d.b.a. "L.A. Care Health Plan"),)
10)
Petitioner,)
11)
12)

**SPECIAL ORDER RE: L.A. CARE
HEALTH PLAN BLANKET ACCESS
ORDER FOR WAIVER OF
CONFIDENTIALITY**

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The Local Initiative Health Authority for Los Angeles County (d.b.a. "L.A. CARE
15 HEALTH PLAN") (hereafter "L.A. Care"), requests a waiver of confidentiality for access to
16 Department of Children and Family Services (hereafter "DCFS") records on children under
17 supervision of DCFS, who are either active dependent children placed at home in the Family
18 Maintenance program or receiving voluntary Family Maintenance services, for possible
19 participation in the Family Maintenance Healthcare Demonstration Project (hereafter
20 "FMHDP"), a project developed by L.A. Care.

21 L.A. Care is a tax-exempt public entity which is a local unit of government. In or about
22 1994, the State of California enacted legislation (SB 2092) establishing county initiatives for
23 the purpose of providing Medi-Cal health services to populations in a managed care
24 environment. As a result, Los Angeles County organized L.A. Care as the public entity in the
25 county to provide the above referenced services. On or about 04/01/97, L.A. Care received its

1 Knox-Keene license as a prepaid health plan which enabled it to begin operations and provide
2 Medi-Cal managed care services to the applicable population.

3 The FMHDP targets children who are L.A. Care members and also participants in the
4 DCFS Family Maintenance program. The FMHDP will utilize health care provider education
5 and assessments, health case management, and communication and care coordination with the
6 child welfare social workers and community based services to improve health status and access
7 to care and increase monitoring for continued abuse and neglect of children in the FMHDP.

8 This Court issued a Special Order Re: L.A. Care Health Plan Blanket Access Order for
9 Waiver of Confidentiality, dated October 25, 1999, and in effect until January 31, 2001, and a
10 renewed Special Order dated December 1, 2000, and in effect until January 31, 2004
11 (collectively "prior Special Orders").

12 The prior Special Orders enabled L.A. Care to access specific records in order to
13 determine which children on DCFS' Family Maintenance Program are also members of L.A.
14 Care and thus eligible for potential participation in the FMHDP. The records subject to the
15 prior Special Orders also provide background information that has been and will be used
16 to allow L.A. Care to most appropriately provide services to children in the FMHDP and to
17 evaluate the effectiveness of the FMHDP.

18 "Records" include data maintained by DCFS and regarding children under DCFS
19 supervision. Specifically, the records include data on active dependent children in the DCFS
20 Family Maintenance Program and children in the DCFS Voluntary Family Maintenance
21 Program at the time of each data collection.

22 Data elements essential to determine which children are in the DCFS Family maintenance
23 Program and also L.A. Care members include: social security number of child, social security
24 number of parent, child's first name, child's last name, child's date of birth, and child's sex.
25 Data elements which are necessary to clarify potential matches include: case last name, case

1 first name, separate family zip code, and originating residence address.

2 Data elements which have allowed and will continue to allow L.A. Care to most effective
3 design the FMHDP to target children concentrated in particular DCFS regions and offices
4 include: DCFS office location. Data elements which will allow collaboration with DCFS in
5 participant recruitment include: DCFS case number, court number, and CSW file number.
6 Data elements important in determining participant eligibility and in evaluating the FMHDP
7 include: ethnicity, language, program type, service effective date, petition file date, petition
8 type, alleged referral date, alleged type, case start date, voluntary status code, and Family
9 Preservation status (if available).

10 The above referenced data elements will continue to be provided by DCFS to L.A. Care
11 electronically via File Transfer Protocol (FTP) and on a fixed length ASCII diskette monthly to
12 be received by L.A. Care by the 15th day of each month for the duration of this Order. The
13 records will be current and accurately reflect the status of the DCFS Family Maintenance
14 Program within two weeks prior to the time the information is provided to L.A. Care.

15 L.A. Care staff, FMHDP staff, and consultants shall employ all necessary safeguard
16 measures, including implementation of in-house procedures and protocols regarding storage,
17 sealing and access, to ensure against breach of confidentiality and unauthorized dissemination
18 of any records or information received pursuant to this Order.

19 Good cause appearing, the Juvenile Court hereby issues an order waiving confidentiality
20 for the purposes referenced above pursuant to Welfare and Institution Code 827 and California
21 Rules of Court 1423.

22 Authorization for use of, or reference to, any records or information other than that of the
23 minor client's shall be obtained by separately petitioning the Juvenile Court Presiding Judge
24 pursuant to Welfare and Institutions Code Section 827, California Rule of Court 1423, and Los
25 Angeles Superior Court Local Rule 17.1 regarding confidentiality.

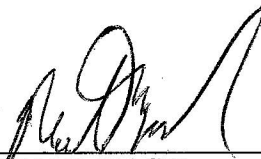
1 This Order shall remain in effect unless or until it is revoked or otherwise amended on the
2 motion of the Juvenile Court Presiding Judge or at the request of any interested parties. L.A.
3 Care shall report to this Court annually, no later than January 31 of each year that this Order is
4 in effect, of the current status of the FMHDP. During the effective time of this Order, L.A.
5 Care shall also notify this Court of either the termination of the FMHDP, or the anticipated
6 change in the status of the FMHDP from a demonstration project to an established health plan
7 program, presently scheduled for March 31, 2004. Such notice shall be made within thirty (30)
8 days of the occurrence of such event and include a statement concerning the proposed
9 disposition of the records obtained by L.A. Care pursuant to this Order.

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1 IT IS SO ORDERED.

2 A true copy of this Order is mailed via U.S. Mail this date to Petitioner. L.A. Care is directed
3 to serve copies of this order upon County Counsel, The Department of Children and Family
4 Services and all concerned public and private agency representatives.
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8 Dated: 3/10/04

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MICHAEL NASH
Presiding Judge, Juvenile Division