

# **Important Notice to Medical Records Administrators**

**Subject:** Understanding Records Requests Related to Child Abuse & Neglect Investigations

Federal law permits hospitals to disclose relevant health records to government agencies, such as DCBS (Department for Community Based Services), when the request involves child abuse or neglect investigations.

No Attestation Required - You Can Share Records with DCBS.

With the hopes of minimizing any confusion regarding federal regulations and protected health information – please read the below thoroughly.

## **Important Details to Know:**

- Under 45 CFR § 164.512(b)(1)(ii), such disclosures are explicitly allowed
  - These requests do not require attestation or special authorization from DCBS
- The restriction you may have seen in 45 CFR § 164.509(a)(1) applies only to records related to reproductive health care in very specific cases — not child protection matters

## **Your Role:**

When records are requested by DCBS for a child abuse or neglect investigation:

- Release the records as permitted by law
- Do not request an attestation. Refer to 45 CFR § 164.512(b)(1)(ii) and 45 CFR § 164.509(a)(1) for additional outline(s)

**Your cooperation helps us protect Kentucky's children and uphold their safety and well-being.**

If you have any questions, concerns, or need further guidance, please feel free to reach out to the Child Protection Branch via email at: [DCBSChildProtection@ky.gov](mailto:DCBSChildProtection@ky.gov).