



BEHAVIORAL HEALTH SERVICES

Informed Consent to Record or Live Stream Client Sessions

Purpose of Recording or Live Stream:

Training and supervision of BHS staff members, clinical interns and volunteers, for certification in therapeutic modalities or academic credit.

Storage, Security, and Destruction of Recordings:

Recordings will be stored securely in a locked location accessible only to designated personnel. They will be encrypted, access-log protected, and deleted when training is complete or services end, whichever occurs first.

Use and Disclosure of Information:

Recordings or live streams may be used for supervision, consultation, and training. If anyone outside the training team needs to see a recording or live stream, you will fill out an Authorization to Disclose (ATD) form. This form lets you choose what sensitive information can be shared.

Protections for Substance Use and HIV Information:

Recording or live stream may contain substance use information or HIV information. Substance use disorder information contained in recordings or live streams are protected by 42 CFR Part 2 and may not be disclosed without your written consent through completion of an ATD unless an applicable exception, such as a court order, applies. Similarly, California Health & Safety Code also requires written consent through completion of an ATD for any HIV-related information disclosure unless a listed exception applies.

Authorization to Disclose (ATD) Requirement for Trainings:

If a recording or live stream contains sensitive information (including but not limited to substance use disorder information protected under 42 CFR Part 2, HIV/AIDS-related information, or other legally protected categories) and will be used for training purposes, an Authorization to Disclose (ATD) will be completed. This ATD allows you to specify which types of sensitive information, if any, you agree to have included in training.



Access to Recordings or Live Streams:

The Orange County Health Care Agency (HCA) will not use recordings or live streams to inform your treatment, and recordings are kept separate from your designated record set. Under the Health Insurance Portability and Accountability Act (HIPAA), you have the right to access protected health information only if it is in your designated record set. Because recordings and live streams are not used for treatment decisions and are not part of that set, you do not have the right to access them.

Your Rights Related to Recording:

- Participation is voluntary, and declining will not affect services.
- You may deny permission for a particular session to be recorded or live streamed.
- You may request the recording or live stream be stopped or paused at any time.
- You may withdraw your consent for recording or live stream at any time, verbally or in writing. Verbal withdrawal will stop recording or live stream immediately. Written withdrawal is required only if you want to revoke permission for the use of recordings already created.
- This consent ends automatically when services end unless revoked sooner.
- You may request a copy of this consent.

California Law on Recording or Live Streaming:

California is a two-party consent state. Everyone in the session must agree to being recorded or live streamed. Even after signing this form, your therapist will ask you verbally before each recorded or live streamed session.

Consent to Record:

By signing below, you state that you understand this information and agree to allow audio and/or video recording or live streaming of your sessions.

Client Signature: _____ **Date:** _____

Client Representative Signature: _____ **Date:** _____

Witness Signature: _____ **Date:** _____

