



Quick Reference Sheet for DV Programs during a Public Health Crisis

CONFIDENTIALITY & INFORMED CONSENT: **“electronic signatures are okay” - NNEDV**

New guidance from the *Confidentiality Institute* regarding meeting the VAWA standard for releasing confidential information that is **“written, informed, and reasonably time-limited”** takes into consideration distance-services:

“Written” is not defined in the confidentiality statute. Many states/professions are now defining “written consent” to include appropriately verified electronic techniques.

The point of confidentiality is to be survivor-centered. The point of having written consent is to ensure you have clear, written instructions that the survivor has adopted, and both you and the survivor can refer back to.

It is advised that when you are using technology to achieve written consent, ask these questions:

1. Did we have an actual discussion (could potentially be online but voice call is safer given later “impersonation” questions) where the worker supported the survivor to make an informed decision?
2. Is there something in writing that clearly gives instructions which can be referred to by both worker and survivor? (what does survivor want done, when does permission to act end, etc.)
3. Can you confirm that it is the survivor giving you these instructions, not someone impersonating the survivor (preference for voice calls)?

Be creative and flexible – possible solutions: A survivor can write down what they want you to do and by when they want you to do it, then snap a picture to send to you via technology. A survivor can email/text you what they want you to do and by when they want you to do it, then you can make a record that you have a conversation which covered the required elements to achieve “informed” decision-making.

More detail here: <https://www.techsafety.org/confidentiality-templates>

https://nnedv.org/wp-content/uploads/2020/03/Library_Coronavirus_Guidance_for_DV_Shelters_NNEDV_12MAR2020.pdf

MOVING TO DIGITAL SERVICES:

The following tools are being suggested by NNEDV’s Safety Net Team for communicating with survivors remotely. These are considered to be in alignment with current best practice standards for privacy and confidentiality.

[ResourceConnect](#) – web chat and text

[Gruevo](#) – video call

[Cyph](#) – video call, messaging, groups

It is essential to consider safety with any format of contact with those in abusive relationships. Take a moment to review safety considerations and plan with survivors to assure that they can use new formats of communication safely. Reminders to delete messages, clear browsers, and hide apps and phone numbers within their phones may be helpful.

<https://www.techsafety.org/digital-services-during-public-health-crises>

<https://www.techsafety.org/digital-services-toolkit> (includes digital workplace info)

<https://www.techsafety.org/resources-agencyuse/mobilecomputing-bestpractices> (mobile advocacy best practices)