

Figure 9-3 Qualified Service Organization Agreement	
<p>XYZ Service Center (“the center”) and the _____ <div style="text-align: right; margin-right: 100px;">(name of the program)</div> (“the program”) hereby enter into a qualified service organization agreement, whereby the center agrees to provide</p> <p>_____</p> <p style="text-align: center;">(nature of services to be provided)</p> <p>_____</p> <p>_____</p>	
<p>Furthermore, the center:</p> <p style="margin-left: 40px;">(1) acknowledges that in receiving, storing, processing, or otherwise dealing with any information from the program about the clients in the program, it is fully bound by the provisions of the Federal regulations governing Confidentiality of Alcohol and Drug Abuse Client Records, 42 CFR Part 2; and</p> <p style="margin-left: 40px;">(2) undertakes to resist in judicial proceedings any effort to obtain access to information pertaining to clients otherwise than as expressly provided for in the Federal Confidentiality Regulations, 42 CFR Part 2.</p>	
<p>Executed this ___ day of _____, 20____</p>	
<p>_____</p> <p>President Director XYZ Service Center [address]</p>	<p>_____</p> <p>[Name of the Program] [address]</p>

A QSOA is not a substitute for individual consent in other situations. Disclosures under a QSOA must be limited to information needed by others so that the program can function effectively. QSOAs may not be used between programs providing alcohol and drug services. Programs that share information with outside agencies by using the QSOA must take care that any information about HIV/AIDS or other infectious diseases is transmitted in accordance with State law.

Medical emergencies

A program may make disclosures to public or private medical personnel “who have a need for information about a client for the purpose of treating a condition which poses an immediate threat to the health” of the client or any other individual. The regulations define “medical emergency” as a situation that poses an immediate threat to health and requires immediate medical intervention (§2.51).