

## Local Share Mandate

### Intended Audience

- County Health Departments

### Policy Background

The State Office of AIDS (OA) requires all clients to complete and sign the ARIES Client Share/Non-Share Consent Form in order to receive services. However, OA does not require clients to share their data.

County health departments may establish a “local share mandate” among agencies with which they have contractual relationships. Agencies that provide OA-funded services which the county health department does not oversee (e.g., CARE/HIPP) would only fall under the local share mandate if the county health department contracts with them for other HIV care programs.

The local share mandate allows county health departments to require most clients to share their data as a condition for receiving services. The exceptions to the local share mandate are clients who:

- Demonstrate an inability to give consent as documented in the client record (e.g., decreased mental capacity) or
- Are receiving services as a related/affected client.

These clients cannot be required to share their data. If further clarification is needed for the first exemption, county health departments should consult their legal counsel.

The following counties currently have approved local share mandates: San Bernardino (including Riverside as part of the Transitional Grant Area [TGA]), San Diego, San Francisco, San Mateo, and Santa Clara. ARIES agencies that have contracts with any of these county health departments should not use the standard ARIES Client Share/Non-Share Consent Form. Instead they should contact their administrative agency (AA) for the appropriate county-specific form.

### Procedures

To establish a local share mandate, the county health department must:

- Obtain approval from their county legal counsel.
- Submit a written request on letterhead signed by the County Health Officer. The letter should:
  - Indicate that their county legal counsel has approved the local share mandate,
  - Identify the AA staff member with whom OA will work,

- Include a list of the agencies with which the county health department contracts, and
- Be mailed to: Susan Sabatier, Program Evaluation and Research Section Chief, Office of AIDS, California Department of Public Health, P.O. Box 997426, MS 7700, Sacramento, CA 95899-7426.

OA will review the request and notify the staff member whether approval has been granted. If approval is granted:

- OA will provide the staff member with a county-specific ARIES Client Consent Form.
- The county health department is responsible for notifying their providers of the local share mandate and providing them with the county-specific ARIES Client Consent Form.
- Local share mandate providers must adhere to ARIES Policy Notice No. C1 with the following stipulations. Providers must:
  - Inform clients that their county health department has instituted a local share mandate which means that clients must share their data as a condition for receiving services.
  - Use the county-specific ARIES Client Consent Form.
  - Document any exceptions to the local share mandate on the bottom of the county-specific ARIES Client Consent Form and treat these clients as non-share in ARIES.

## Compliance Monitoring

ARIES cannot be programmed to enforce local share mandates. It is the responsibility of the county health department to enforce and monitor their local share mandate.

Agencies in local share mandate counties will be monitored for compliance as outlined in ARIES Policy Notice No. C1.

## Related Policies

- ARIES Policy Notice No. C1 regarding Client Consent and Share Options.