



NEW JERSEY DEPARTMENT  
OF CHILDREN AND FAMILIES

## New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	133G	Client Information	5/21/2007
Subchapter:	3	Release Of Client Information To Persons Other Than The Client	
Section	3	<b>Third party information (N.J.A.C. 10:133G-3.3)</b>	

### §10:133G-3.3 Third party information

(a) A Division employee shall not disclose the following forms of third party information to a requester, except as provided by law:

1. Third-party reports, unless the Division receives prior written consent from the third party and disclosure is not prohibited by law or regulation, such as those cited in N.J.A.C. 10:133G-2.3(a)1i, ii, iii, and iv;

2. Information identifying a third-party source of information, for example, the reporter or other family member, unless the Division receives prior written consent from the third party and disclosure is not prohibited by law or regulation; or

3. Information which would, if disclosed to the client, be likely to endanger any person's life or safety as based on the client's known past behavior and threats against himself, herself or others. A Division representative shall base this determination on the Division representative's and his or her supervisor's evaluation of the nature and seriousness of the case and an assessment of the propensity for violence and harm.

(b) When the Division representative requests a third party report to process a residential placement or other service, or apply for government benefits, the Division representative shall inform and obtain the consent of the third party at the time of request that the information may be disclosed to others to obtain a needed service or government benefit.

(c) A Division employee shall disclose third party reports to an agency or person who is subject to standards of confidentiality comparable to those of the Division, such as a physician, psychotherapist, health or mental health agency, when:

1. The Division has guardianship or custody of the child;

2. Disclosure of the information is necessary for the child's or parent's care, treatment or supervision;

3. Disclosure is not prohibited by law or regulation, such as those cited in N.J.A.C. 10:133G-2.3(a)1i, ii, iii, and iv;

4. The Division employee has considered the risk of harm to the child and others; and

5. The third party has given his or her consent, in accordance with (b) above.