



CENTER *for* HEALTH LAW
and POLICY INNOVATION
HARVARD LAW SCHOOL

Social Risk Information as Sensitive Information: Privacy Considerations

SIREN 2025 National Research Meeting

Social Risk Screening & Documentation

February 4, 2025

9:15-10:30 am PT

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1. Existing research highlights patient and provider concerns about screening, including disclosures to third parties. ***How does law permit or protect against such unsafe or otherwise unwanted disclosures?***
2. In the event that we identify vulnerabilities, ***what are “Big P” and “little p” policy interventions to minimize risk of harm?***
3. Create an [educational/informational tool](#) with practical strategies to minimize risks of harm.



Legal Research: Federal information privacy and information blocking rules

Semi-Structured Interviews: Broad range of stakeholders working / researching at the intersection of health care and social care interventions; stakeholders working with populations of interest (individuals experiencing domestic violence, children, older adults)

Request for Review: Re-engaged key stakeholders to review recommendations and offer additional, targeted resources and tips



Scenario 1

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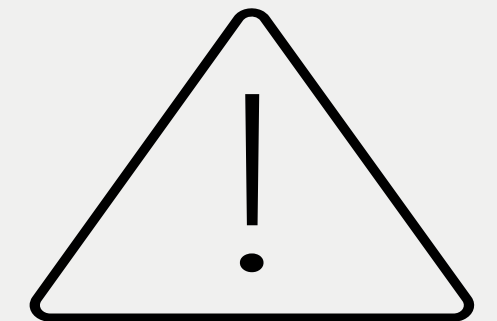
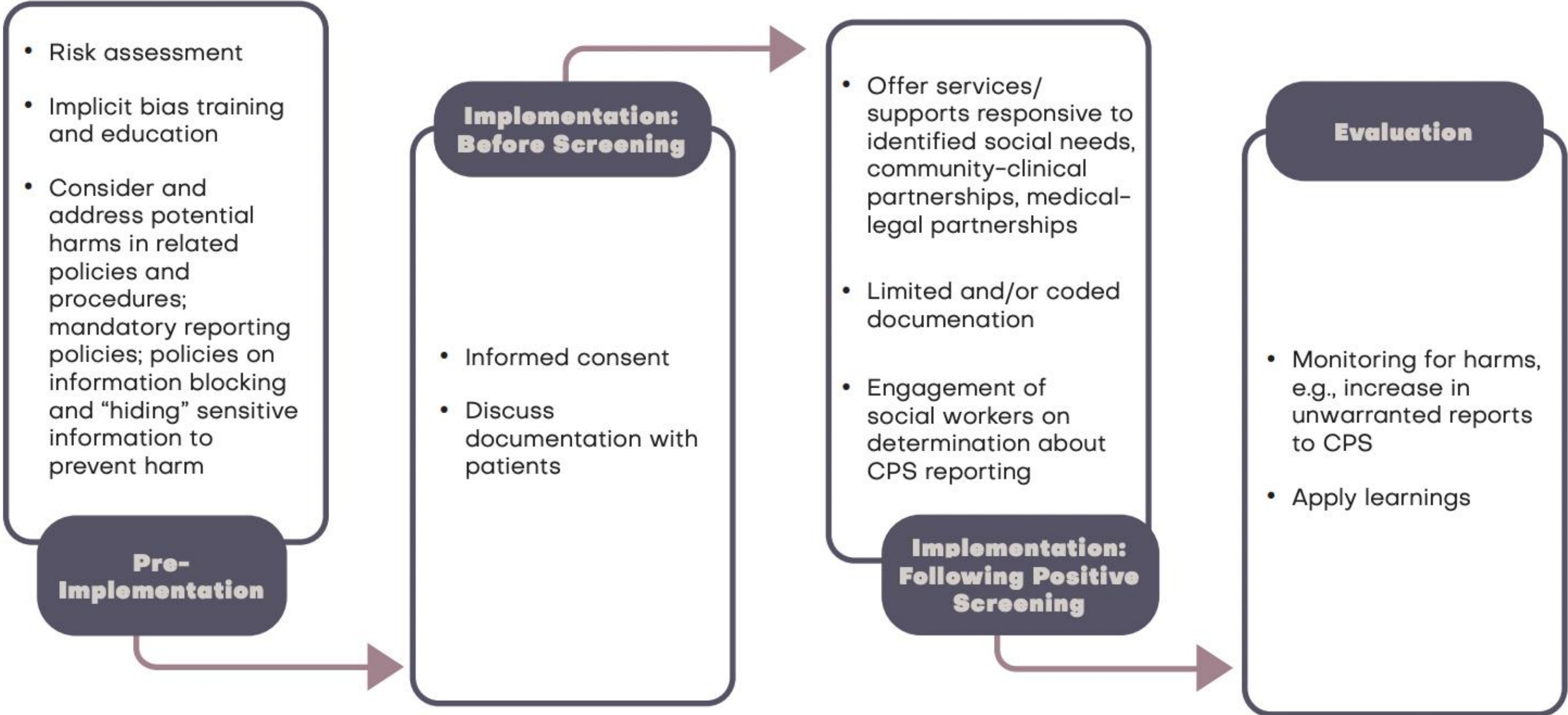


Figure 2 Minimizing Risk of Harm Across the Intervention



CONSIDERATIONS: “SMALL P” POLICY

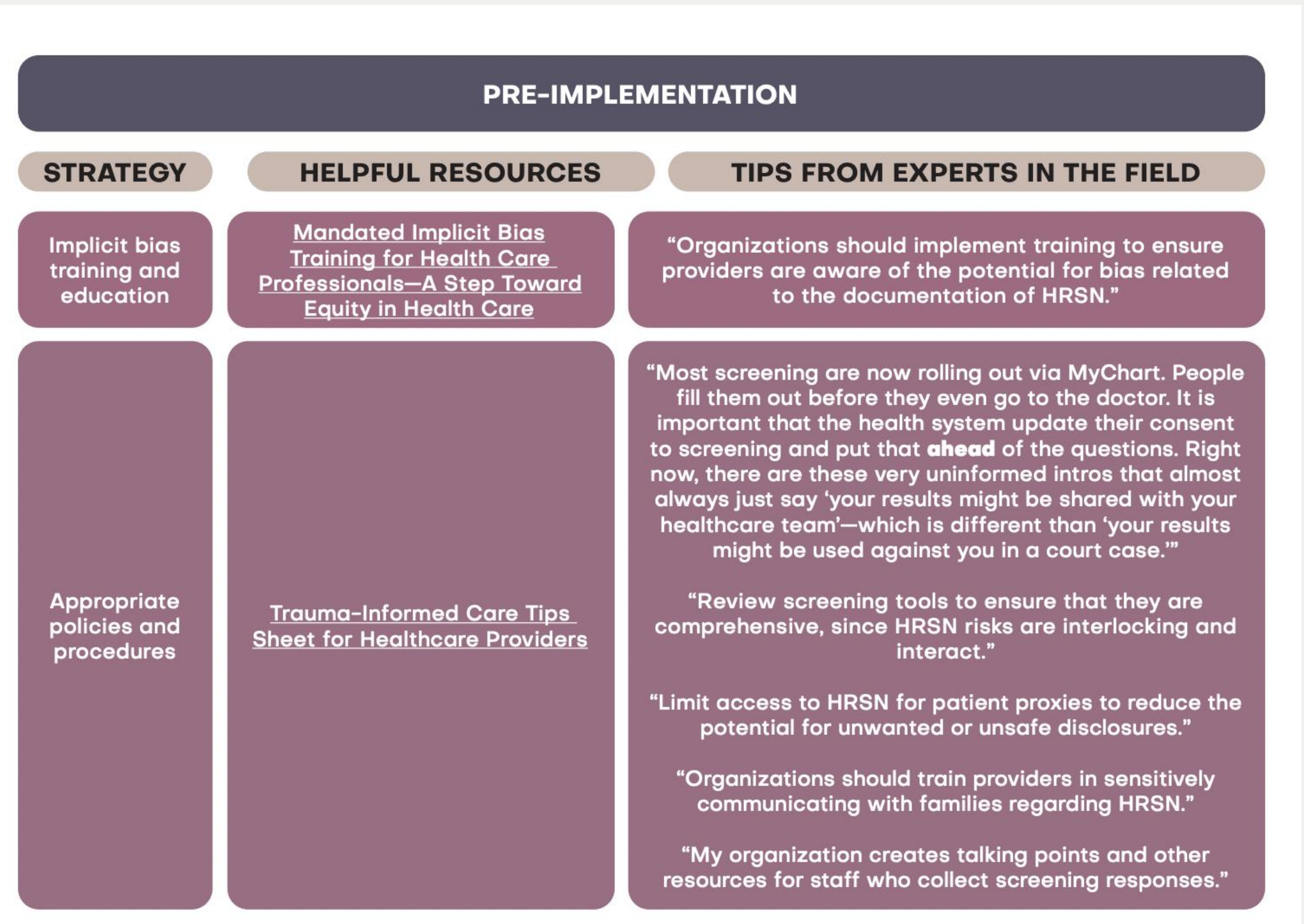
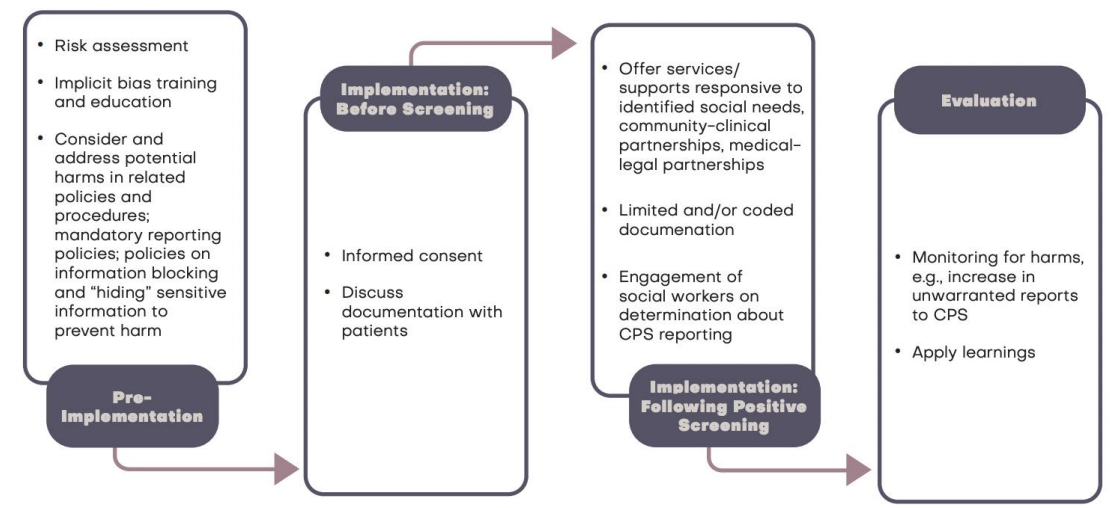


Figure 2 Minimizing Risk of Harm Across the Intervention



1. When advancing requirements or incentives to drive social risk factor screening in health care settings, ***policymakers should consider whether the design of the policy introduces the potential for harm.***
2. Policymakers should take advantage of the growing array of tools at their disposal to ***ensure that identification of HRSN consistently results in meaningful connection to responsive services and supports.***
3. Policymakers shape mandatory reporting obligations and can ***advance the critical distinction between poverty and neglect.***

E.g., Massachusetts Department of Children and Families has an explicit policy that “poverty or homelessness are not per se indicative of child abuse or neglect; and that children should never be removed from their parents and placed into substitute care on the sole basis of homelessness of a family”



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THANK YOU
QUESTIONS?