

# Verbal PSYCKES Consent

## Policies & Procedures



**Office of  
Mental Health**

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## Background

The standard and best practice for accessing client-level information in PSYCKES is by obtaining signed, written consent from the client or legal guardian on the PSYCKES Consent form, the BHCC Patient Information Sharing Consent form or the DOH Health Home Patient Information Sharing Consent form. However, during the time of the COVID-19 pandemic, verbal consent from the client is permitted for accessing information in PSYCKES, so long as the required procedures are followed. This policy document outlines the data available and timeframe when accessing information with verbal consent, procedures for obtaining and documenting verbal consent, and procedures for attesting to or withdrawing verbal consent in the PSYCKES application.

## Data Available & Timeframe

**Signed consent:** With signed consent, all client-level data is available, including data with special protections. Data with special protections includes data such as substance use information, HIV information, family planning, genetic testing, results on screenings and assessments, and plans and documents (e.g., a safety plan or psychiatric advance directive). Signed consent on the PSYCKES Consent form remains in effect for 3 years after the last date of service from the provider that obtained the consent or until the day the client withdraws consent, whichever comes first.

**Verbal consent:** With verbal consent, during the time of the COVID-19 pandemic, access to client-level data is available, however this access does not include data with special protections. Verbal consent has a more limited timeframe and remains in effect for 9 months after it was attested to in PSYCKES or until the client withdraws their consent, whichever comes first.

## Procedures: Obtaining & Documenting Verbal Consent

The following procedures are required to obtain verbal consent from a client to access their information in PSYCKES:

1. Content of the PSYCKES consent form is verbally reviewed with the client
  - a. Explain to the client what PSYCKES is and what information is available
  - b. Clarify that the client has a choice to either give consent or not give consent
  - c. Explain that they can withdraw their consent at any time
2. Staff obtaining verbal consent completes the PSYCKES Consent form
  - a. Check the “I give consent” check box
  - b. In the “Signature of Patient” line enter: “Verbal consent with *<name of staff obtaining verbal consent>*”
  - c. Enter the client’s name in the “Name of Patient” line
  - d. Enter the date verbal consent was obtained in the “Date” line

3. The completed PSYCKES consent form is filed and saved in agency's records; this can be saved in the client's paper chart or electronic chart
4. A copy of the completed PSYCKES consent form with the date of verbal consent is provided to the client via mail, email, or in person at a future date

The PSYCKES Consent Form is available in the PSYCKES application, within the "Registrar" menu located in the purple navigation bar at the top. The form is also posted online at [www.psyckes.com](http://www.psyckes.com) and is available in 10 languages.

## Procedures: Entering Verbal Consent in PSYCKES

After verbal PSYCKES consent is obtained following the above procedures, the steps to attest to verbal consent in the PSYCKES application are:

1. Login to PSYCKES and navigate to "Recipient Search" using the purple navigation bar at the top
2. Enter a recipient identifier such as Medicaid ID, Social Security Number, or name and date of birth and click "Search"
3. Review the client found in the results page carefully and confirm whether the match is the correct client you are looking for
4. Check your current level of access to this client's data and if necessary, select "Enable Access" or "Update Access"
5. From there you will select why you're allowed to view the client's data: "Client gave Verbal PSYCKES consent" and select "Next"
6. You will then be shown the verbal consent policy, and if the policy was adhered to when you obtained verbal consent, select "Next"
7. The final step is to confirm how the client's identify was verified. You can either select "Provider attests to client's identity" or "Client provided 1 form of photo ID or 2 forms of non-photo ID"
8. Select "Enable" or "Enable and View Clinical Summary" to complete the steps.

## Withdrawal of Consent

Clients may withdraw their PSYCKES Consent at any time. There is a Withdrawal of PSYCKES Consent form that should be completed with the client, with client's signed signature as a best practice. If withdrawal of consent is being communicated verbally by the client, the content of the withdrawal of consent form should be verbally reviewed with the client and the provider can complete the form on their behalf. In the "Signature of Patient" line enter "Verbally obtained with <name of staff obtaining verbal consent>."

The steps to remove the verbal consent level of access in the PSYCKES application are:

1. Login to PSYCKES and navigate to the "Registrar" menu using the purple navigation bar at the top

2. Select the link to “Search & Withdraw Consent”
3. Enter a recipient identifier such as Medicaid ID, Social Security Number, or name and date of birth and click “Search”
4. Select “Verbal PSYCKES Consent” as the active consent to withdraw and select “Withdraw”

As described on the Withdrawal of PSYCKES Consent form, the provider agency will no longer have access to the client’s information in PSYCKES, with the following exceptions:

1. In an emergency, or
2. When state and federal confidentially laws and regulations allow it. For example, if Medicaid is concerned about the quality of the client’s health care, the provider may get access to PSYCKES to help them determine if the client is getting the right care at the right time.

## **Technical Support**

If you have any questions or need technical support, please contact the PSYCKES team at [PSYCKES-Help@omh.ny.gov](mailto:PSYCKES-Help@omh.ny.gov).