

1. **Explain to the youth/NMD their rights and limits to confidentiality regarding their sexual and reproductive health information.** Inform the youth/NMD that any medical service they receive will remain confidential between them and their medical provider, which is protected by the [HIPAA](#). However, any sexual and reproductive health information voluntarily disclosed by the youth/NMD to their case management worker does not carry the same protection.<sup>1</sup>
2. **Explain to the youth/NMD when their confidential health information may be shared and when it must be shared.**
  - **May be shared:** When arranging for necessary services and supports.
  - **May be shared:** When arranging for a new placement
  - **Must be shared:** When the youth/NMD verbally discloses abuse, neglect, or exploitation or when there is suspicion of a health and safety risk to the youth/NMD.<sup>2</sup>
3. **Provide the youth/NMD with the brochure “Know Your Sexual and Reproductive Health Rights”.** This is an opportunity to engage and talk with the youth/NMD about any concerns or barriers they may be experiencing in accessing services or information. Questions that are helpful to ask include: **1.** Do you have a person you feel comfortable talking to about your reproductive or sexual health? **2.** Is there an individual you agree, or disagree, with receiving your information about your reproductive or sexual health? **3.** Do you have access to your medical information, such as your doctor’s name and phone number? **4.** Are you aware of community resources?
4. **Do not make assumptions about a youth/NMD’s sexual orientation or gender identity.** It is important when establishing trust with a youth/NMD that you ask early on how they want to be addressed and their preferred gender pronoun. Youth in foster care have the right to voluntarily disclose their SOGIE, or not. An individual’s SOGIE status is fluid and may change at any time, which is part of healthy sexual development. Maintain inclusivity when asking questions. For example, “Are you dating anyone?” as opposed to “Do you have a girlfriend or boyfriend?”
5. **Teaching tip: Engage the youth/NMD about the qualities of a healthy relationship.**  
**Suggested topics:**
  - Ask the youth/NMD to define what “love” means to them. This is an opportunity to discuss characteristics of a healthy relationship versus an unhealthy relationship.
  - If appropriate, discuss sexual consent. **1.** A person has the right to change their mind about consenting to sex or any sexual activity even if they have consented in the past. **2.** A person cannot give consent if they are drunk, high, or coming in/out of consciousness.
  - Explore with the youth what to do if they feel they are being physically or emotionally victimized due to their SOGIE.
6. **It is not intended that these topics be discussed all at once but rather as on-going discussions.** Sexual and reproductive health topics are private and complex to talk about. Therefore, it is imperative to build rapport and trust with the youth/NMD first in order to initiate any such conversation. If a youth/NMD knows that they are being listened to without judgment or criticism, they will ultimately feel safe and comfortable to be open and honest in sharing their concerns or experiences.

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<sup>1</sup> To honor the youth/NMD’s privacy, the SW/PO should seek their written consent prior to any redisclosure of their protected health information. The youth/NMD has the right to either approve or deny their consent to any disclosure.

<sup>2</sup> <http://fosterreprohealth.org/wp-content/uploads/2018/04/NCYL-Chart-Minor-Sexual-Intercourse-Reporting.pdf>