



Circumstances Under Which Information May Be Disclosed Without the Consent of the Client

Samaritan Behavioral Health, Inc. (SBHI) will do everything possible to protect your privacy. However, there are exceptions to the confidentiality laws, which govern our priorities. They are outlined below. If you have questions regarding these exceptions, please ask your therapist when you meet him/her.

- 1.** When an individual's condition represents an immediate threat to the physical safety of self or others, or when the client makes a direct threat on the life of another, when an individual represents a substantial and immediate risk of serious physical impairment or injury to himself as manifested by evidence that he is unable to provide for and is not providing for his basic physical needs because of mental illness, information may be disclosed for the purpose of preventing danger/harm.
- 2.** The duty to report abuse, including abuse of children, elderly persons and adults with mental retardation or disabilities, supersedes (by law) any requirements of confidentiality. In general, professionals and persons involved in the human services system are required to report abuse, if they have reason to believe there is a wound, injury, disability, neglect or emotional condition which reasonably indicate that abuse has occurred.
- 3.** An attorney representing the Preble County Mental Health and Recovery Board (PCMHRB) has authority to obtain records of individual clients for whom involuntary commitment (hospitalized against your will) proceedings have been initiated. The PCMHRB is a state-funding source and by law must track such information. Information that may be disclosed under this provision is limited to the client's treatment, treatment needs and outcomes for success.
- 4.** Information in a client's treatment files may be subject to an order by the court. At that time, Samaritan Behavioral Health Inc would obey an order from a court to provide a client's record.
- 5.** The Ohio Legal Rights Service has authorization to secure a record of a client when their representation of a client warrants such action.
- 6.** Representatives of PCMHRB and the Ohio Department of Mental Health (ODMH) and Ohio Department of Alcohol and Drug Addiction Services (ODADAS) may gain access to client records for the purpose of evaluating the quality of services. They provide funds for services and by law are permitted to audit information.
- 7.** Additional exceptions may occur for the purpose of fiscal auditing, program analysis, and authorized research. In each instance, only minimal information will be released to qualified personnel with a legitimate need to know.
- 8.** A parent, including a non-custodial parent, or legal guardian, has the right to review information in the file and receive a copy of the file (fees may apply) pertaining to the child, the child's treatment and disclosures made by the child, unless specified otherwise in a court order.
- 9.** A legal guardian of an adult has the right to review information in a file pertaining to that adult.
- 10.** Conduct that could be considered a felony is reportable to law enforcement agencies unless disclosed to a psychiatrist or psychologist treating you.
- 11.** As of 4/14/03, The Health Insurance Portability and Accountability Act of 1996 (HIPAA) may restrict disclosure of some information. The release of any information is always the minimum necessary information. See the SBHI Privacy Statement after 4/14/03 for more details.

There may be additional exceptions to the policy that cannot be anticipated. A therapist will discuss with his/her clinical supervisor or the SBHI Director of Quality and Utilization Management any concerns regarding the obligation of confidentiality.