

SHIAWASSEE COUNTY COMMUNITY MENTAL HEALTH AUTHORITY
POLICY AND PROCEDURE MANUAL

Section: Recipient Rights
Policy Number: 25
Subject: **Confidentiality on Minor Children of
Custodial/Non-Custodial Parents**

Effective Date: 12/19/95
Last Revision Date: 5/13/16
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Policy

It is the policy of Shiawassee County Community Mental Health Authority (SCCMHA) that custodial/non-custodial parents of minor children will have access to information contained in the clinical records of the minor child subject to the conditions and limitations established by the Mental Health Code (P.A. Act 258) and the Department of Health and Human Services Administrative Rules.


Application


This policy applies to clinical records of all minor children who are or who have been consumers of SCCMHA.

Procedure

1. The custodial/non-custodial parents will request in writing access to information contained in his/her child's clinical record. Such request will specify the purpose for which such information is being obtained.
2. The primary therapist responsible for the case or the Director of the Program having responsibility for the case will review the request and the clinical records.
3. Upon review the primary therapist or the Program Director will convene a clinical conference composed of at least three mental health clinicians to determine if there is substantial and documented reason to believe that disclosure would be detrimental to the consumer or others.
4. The members of the clinical conference will recommend to the primary therapist or the Program Director approval or denial of the request for information from the custodial/non-custodial parent after determining whether disclosure would be detrimental to the consumer or others.
5. The primary therapist or Program Director will act on the recommendation of the clinical conference and convey the decision to the custodial/non-custodial parent.

6. When the information from the clinical record is released to the custodial/non-custodial parent the primary therapist or Program Director will review the record with the custodial/non-custodial parent and summarize the clinical information.
7. If copies of any or all of the clinical records are requested by the custodial/non-custodial parent or if the custodial/non-custodial parent requests to read the clinical record, the primary therapist or Program Director will have the responsibility of deleting any and all references about or information pertaining to any and all other parties mentioned by name or identifiable through the context of the clinical documentation before releasing copies of the records requested or allowing the custodial/non-custodial parent to read the record. The custodial/non-custodial parent will be charged the established agency rate per page for copied records.

Approved by:  9-26-2016
Board Chairperson Date

 9/28/16
Chief Executive Officer Date

