

# SHIAWASSEE COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

## POLICY AND PROCEDURE MANUAL

Section: Recipient Rights  
Policy Number: 61  
Subject: **Substance Use Disorder - Release of Information**

Effective Date: 2/16/09  
Last Revision Date: 5/20/16  
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### **Policy**

It is the policy of Shiawassee County Community Mental Health Authority (SCCMHA) to ensure that all information pertaining to recipients is kept confidential, subject to the limitations and conditions within 42 CFR part 2.

### **Purpose**

To establish policy and standards to ensure confidentiality and privacy within the Substance Abuse Rights system of Shiawassee County Community Mental Health Authority and the protect the confidentiality of substance abuse rights of recipients

To ensure compliance with the Michigan Department of Health and Human Services Administrative Rules and the Code of Federal Regulations.

### **Application**

This policy applies to all employees, independent contractors, and contract agencies of the Shiawassee County Community Mental Health Authority.

### **Procedure**

The confidentiality of alcohol and drug abuse recipient records maintained by the program is protected by state and federal law and regulations. Generally, the program may not say to a person outside the program that a recipient attends the program or disclose any information identifying a recipient as an alcohol and drug abuser unless:

1. The recipient consents in writing.
2. The disclosure is allowed by a court order or
3. The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit or to a program evaluator.

Violation of the State and Federal law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with State and Federal regulations.

State and Federal law and regulations do not protect any information about a crime committed by a recipient either at the program or against any person who works for the program or about any threat to commit such a crime.

State and Federal law and regulations do not protect any information about suspected child abuse or neglect from being reported under state laws to appropriate state or local authorities.

**References and Legal Authority**

Department of Health and Human Services Administrative Rules  
Michigan Mental Health Code  
Code of Federal Regulations

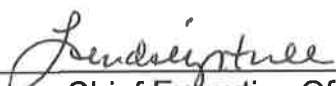
**Compliance**

External:

Code of Federal Regulations  
Michigan Mental Health Code  
Michigan Department of Health and Human Services Administrative Rules

Approved by:   
Board Chairperson

9-26-2016  
Date

  
Chief Executive Officer

9/28/16  
Date

