

**DISCLOSURE OF PROTECTED HEALTH INFORMATION
WITHOUT AUTHORIZATION, TO AVERT A SERIOUS THREAT
TO HEALTH OR SAFETY POLICY**

RESPONSIBILITY: All Behavioral Health and Health Facilities (BHFF) Workers, Physicians, and Administrators

BACKGROUND:

The duty to protect the health and safety of individuals, or of the public, may outweigh the need to keep protected health information confidential. This is true in cases in which a patient poses a serious and imminent threat. The threat may be the result of demonstrated violent intentions toward another individual, or of an untreated infectious disease that is known to cause serious illness.

POLICY:

Health professionals, and other members of the BHFF workforce, may disclose protected health information (PHI), without the written authorization of the person to whom it pertains, when, in good faith, they believe that a patient poses a serious and imminent threat to the health or safety of another person or to the general public.

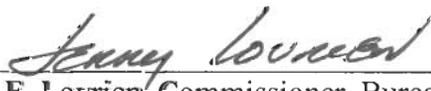
The disclosure must be necessary to prevent or lessen the threatened harm, and must be made to someone who is reasonably in a position to prevent or lessen the harm. This includes informing the person who is the target of the threat.

If possible, the disclosure should be approved by a physician who is involved in the patient's care. If that is not possible without risking someone's safety, the disclosure should be approved by the senior administrator on duty at the location. In an extreme situation, a health professional may make such a disclosure without approval when it is necessary to protect someone from an imminent and serious threat to health or safety.

Any such disclosure must be documented by recording the date, time, patient, summary of the PHI disclosed, identity of the person to whom it was disclosed, reason, and the identity of the worker making the disclosure.

Effective Date: 4/14/03

Dates Revised:



Jerome E. Lovrien, Commissioner, Bureau for Behavioral Health and Health Facilities