

EXHIBIT “D”

El Dorado County Mental Health Department

CONFIDENTIALITY STATEMENT

There are some important legal restrictions on the release of patient information and records. These restrictions are for the protection of the psychiatric patient and cover mental health service programs. Confidentiality covers all information on both inpatients and outpatients, including information on whether or not a person is a patient.

Access to records for El Dorado County Mental Health staff, interns, volunteers, etc., is limited to information necessary to perform specific clinical treatment or Utilization Review and Quality Assurance functions on a professional “need to know” basis.

The Lanterman-Petris Short Act contained in the Welfare and Institutions Code states in part:

Section 5328:

“All information and records obtained in the course of providing services ... to either voluntary or involuntary recipients of services shall be confidential...”.

The specific circumstances under which information and records may be released are spelled out in the sub-sections.

Section 5530 speaks to the enforcement of this law as follows:

“Any person may bring an action against an individual who has willfully and knowingly released confidential information or records concerning him in violation of the provision of this chapter, for the greater of the following amounts:

- (1) Ten Thousand (\$10,000) Dollars or:
- (2) Three (3) times the amount of actual damages, if any, sustained by the plaintiff... It is not a prerequisite to an action under this section that the plaintiff suffer or be threatened with actual damages.”

In addition to the LPS law, a breach of confidentiality is a serious infraction of the County of El Dorado policy and may result in dismissal.

Pledge of Confidentiality: I certify by my signature that I will not give information about patients to unauthorized persons and to do so would be a serious violation of my responsibility.

Signature: _____

Position: _____

Date: _____