

## EVMS MEDICAL GROUP

<b>POLICY: Alcohol and Drug Abuse Treatment Information</b>	<b>DATE: 3/2003</b>
<b>CATEGORY: MEDICAL RECORD RELEASE OF INFORMATION</b>	<b>REVIEWED/ REVISED: 04/2013</b>
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**POLICY:** Federal drug and alcohol abuse regulations prohibit the release of information from the medical record regarding the use of alcohol or drugs without specific authorization for the release of such information or pursuant to a court order issued after a show cause hearing.

A. Patient Authorization/Request

**All requirements in the Authorization Form (see Authorization policy, form found in the appendix) must be satisfied, and the Authorization must also include a specified time for expiration of the consent.**

B. Court Order

A court order issued after a show cause hearing will bear the judge's signature and provide the following at a minimum:

1. That the court is specifically seeking release of drug or alcohol treatment information;
2. That it considered the merits of the request for such information **before** rendering its decision; and
3. That the need for the information outweighs the potential harm the release thereof may cause the patient.

Whenever drug or alcohol abuse treatment information is disclosed, a written statement **must** accompany the records which notifies the receiving party that they are not allowed to disclose the information to anyone else without the written Authorization of the patient to whom the record pertains. If the patient did not execute an EVMS Authorization Form, a statement regarding redisclosure must be attached to the records produced.

**NOTE: Drug and alcohol abuse treatment information cannot be disclosed pursuant to a valid subpoena or a general court order.**