

POLICY: Release of Psychiatric Information	DATE: 3/2003	
CATEGORY: MEDICAL RECORD RELEASE OF INFORMATION	REVIEWED/ REVISED: 04/2013	Page 1 of 1

PROCEDURE: A. Subpoena or Court Order:

In response to a subpoena for medical records where the patient's chart contains psychiatric treatment notes, the health care facility will follow one or a combination of the following procedures:

1. If the patient's attorney is listed on the subpoena, notify the attorney that records are being subpoenaed.
2. Contact the attorney to determine whether the patient will authorize the release of the records or the attorney will file a Motion to Quash or protective order.
3. If the attorney is not listed on the subpoena, contact the patient and ask if they are represented by counsel. If they are represented by counsel all further communication should be with the attorney. If they are not represented by counsel, request authorization from the patient to release the subpoenaed material. If the patient objects to release of the records, contact the EVMS Risk Management Office.

B. Patient Consent/Request:

All requirements in Medical Record Release of Information - Request by Patient must be satisfied.

NOTE: The death of the patient does not, as a general rule, alter the above requirements. Refer requests for psychiatric information relating to deceased patients to the EVMS Risk Management Office for review.