CONFIDENTIALITY OF SUBSTANCE USE DISORDER PATIENT IDENTIFYING INFORMATION

NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
FISCAL ADMINISTRATION
SFN 1176 (3-2017)

Clear Fields

Client Name	Client ID

The confidentiality of Substance Use Disorder patient records maintained by North Dakota Department of Human Services Substance Use Disorder programs are protected by Federal law and regulations. Generally, a program may not inform any person outside of the program that a patient attends any programs, or disclose any information identifying a patient as having or having had a substance use disorder, unless:

1) The patient provides written consent;
2) The disclosure is allowed by a proper court order;
3) The disclosure is made to medical personnel in a medical emergency;
4) The disclosure is made to qualified personnel for research, audit, or program evaluation;
5) The patient commits or threatens to commit a crime either on the premises of the program or against any person who works for the program;
6) The disclosure is made to appropriate state or local authorities to initially report any suspected child abuse or neglect; or
7) Federal law or regulations allow the disclosure of such information.

Substance Use Disorder - Minor Patients:

Federal law and regulations, along with North Dakota State law, restrict the disclosure of information regarding a minor 14 years or older with sufficient capacity, unless the minor has consented in writing to the disclosure. This includes any disclosure of patient identifying information to the parent or guardian of a minor 14 years of age or older, for the purpose of obtaining financial reimbursement.

Federal law and regulations, along with North Dakota State law, restrict the disclosure of information regarding a minor 13 years of age or younger with sufficient capacity, unless both the minor and his or her parent, guardian, or other person authorized under State law to act in the minor's behalf, have consented in writing to the disclosure.

Violations:

Violations of the Federal law and regulations and State law by a program is a crime. In accordance with Federal regulations, suspected violations may be reported to one of the United States Attorney's Office for District of North Dakota at:

Quentin N. Burdick United States Courthouse
U.S. Attorney's Office
655 First Avenue North, Suite 250
Fargo, ND 58102-4932
Phone: (701) 297-7400 or 1-888-716-7395
Fax: (701) 297-7405
TTY Phone: (701) 297-7444

William L. Guy Federal Building
U.S. Attorney's Office
220 East Rosser Ave, Room 372
Bismarck, ND 58502-0699
Phone: (701) 530-2420 or 1-888-828-8050
Fax: (701) 530-2421
TTY Phone: (701) 530-2441

Or to the Substance Abuse and Mental Health Services Administration (SAMHSA) at:

Substance Abuse and Mental Health Services Administration
5600 Fishers Lane
Rockville, MD 20857
Phone: 877-726-4727
800-487-4889 (TDD)

See 42 U.S.C 290dd-2 for federal law; 42 CFR Part 2 for Federal regulations; and North Dakota Century Code Sections 50-06-15 and 14-10-17.

I ACKNOWLEDGE RECEIVING A COPY OF THIS NOTICE

Signature	Date