



675926

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2015	.	
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	.	

The Committee on Judiciary (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1439 - 1461
and insert:

(c) A petition for involuntary inpatient placement is filed and the records are needed by the state attorney to evaluate the allegations set forth in the petition or to prosecute the petition. However, the state attorney may not use clinical records obtained under this part for the purpose of criminal investigation or prosecution, or for any other purpose not authorized by this part.



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12 (d)~~(e)~~ The court orders such release. In determining
13 whether there is good cause for disclosure, the court shall
14 weigh the need for the information to be disclosed against the
15 possible harm of disclosure to the individual ~~person~~ to whom
16 such information pertains.

17 (e)~~(d)~~ The individual ~~patient~~ is committed to, or is to be
18 returned to, the Department of Corrections ~~from the Department~~
19 ~~of Children and Families,~~ and the Department of Corrections
20 requests such records. These records shall be furnished without
21 charge to the Department of Corrections.

22 (3) Information from the clinical record may be released in
23 the following circumstances:

24 (a) When a patient has declared an intention to harm other
25 persons. When such declaration has been made, the administrator
26 may authorize the release of sufficient information to provide
27 adequate warning to law enforcement agencies and to the person
28 threatened with harm by the

29
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Between lines 49 and 50

33 insert:

34 providing for the release of information from the
35 clinical record to law enforcement agencies under
36 certain circumstances;