

# Release of Your Child's Health Records

---

## **Written consent required**

Your child's doctor may not release your child's health records to anyone else without a parent's signed and dated consent. (See below for examples regarding release without consent.)

## **Duration of consent**

- 1) Consent expires in one year unless a shorter time interval is indicated on the consent form.
- 2) Consent does NOT expire when:
  - It is provided to a consulting medical provider that is involved with the individual's care
  - It is for the purpose of accident or health insurance, 3<sup>rd</sup> party billing payment of claims, or fraud investigation

## **Release without consent**

Your child's doctor may release your child's records without your prior written consent:

- When there is a medical emergency
- When the doctor needs to release the information to another health care professional for the current treatment of your child
- When a federal law requires it
- When a court order or subpoena requires it
- When it's needed by state agencies and organizations for specific purposes outlined by law
- When your child is admitted to a similar type of health care facility in another state when the patient is unable to provide consent

## **Mental health emergency**

Limited information may be disclosed to law enforcement (without consent) to assist with a mental health emergency. This includes instances where there is danger to the safety and health of the individual or another person. Only the minimum information necessary to help with the emergency may be revealed. This information is considered private, and cannot be used for any other purpose.

## **Release of immunization information**

Doctors, schools, and certain government agencies may exchange your child's immunization information with one another without your consent if the person requesting the information provides services on behalf of your child.

---

### **Your request to transfer records to another doctor**

---

Your child's doctor must promptly give your child's health record to another health care professional when you request it in writing. Your written request must state the name of the health care professional who will receive the record. You are responsible for paying the reasonable costs of giving the information.

### **Release to researchers**

---

The law explains how and when your child's health records may be released to a researcher for medical or scientific research. Your child's doctor must tell you in writing that the records may be released to a researcher, and explain that. You have the right to object to the release. Researchers must protect the records from unauthorized disclosure and must have a way to remove or destroy any information that identifies your child.

### **Residential facility records**

---

If your child lives in a residential facility, then you must be notified when anyone outside of the facility requests your child's records.