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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF LA PAZ**

**In the Matter of:** )  
 )  
**EXCHANGE OF MENTAL HEALTH** )  
**INFORMATION FOR COURT-INVOLVED** )  
**ADULTS WHO ARE DESIGNATED SMI** )  
\_\_\_\_\_ )

**ADMINISTRATIVE ORDER  
NO. S1500AO-2018-00001**



S1500AO201800001

Individuals with serious mental illness (SMI) frequently enter the criminal justice system and do not receive services which would otherwise be available to if the Court was aware of the individual's SMI designation. Individuals with SMI in the justice system encounter unique challenges that create exigent circumstances regarding the need for and release of information. Therefore, it is imperative to have a system in place to temporarily authorize the release of limited, but essential, information until there is an opportunity to obtain a consent, authorization, release, or order in a specific pending case.

The Arizona Health Care Cost Containment System contracts with the three Regional Behavioral Health Authorities (RBHA) to provide mental health services to eligible individuals. Cenpatico, the RBHA for the southern region of the state, serves the following counties: Cochise, Graham, Greenlee, La Paz, Pima, Pinal, Santa Cruz and Yuma. SMI's who enter the criminal justice system are often receiving, or are eligible to receive services from the RBHA.

Pre-Trial Services provides recommendations to the court concerning pre-trial release. The Superior Court Adult Probation Department (APD) in each county provides recommendations to the Superior Court for sentencing and supervision. Information regarding SMI designation and services is necessary to make those recommendations and to provide for continuity of care, on-going supervision, assignment to specialized court calendars, and referrals to appropriate mental health care treatment agencies. This information will be provided by the exchange of information concerning persons who enter the court system ordered below.

The Privacy Rule of the Federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and the Federal Code of Regulations in 45 CFR authorize the disclosure of protected information pursuant to a court order. Therefore, this order is needed to authorize the disclosure of protected information.

**IT IS ORDERED** that until the opportunity to obtain a consent, authorization, release or order in a specific pending case this court and Cenpatico are authorized to exchange information as follows:

Pre-Trial Services or APD shall provide Cenpatico the following information concerning persons before the court:

1. Last four digits of the individual's social security number
2. Date of birth, gender, and ethnicity of the individual.

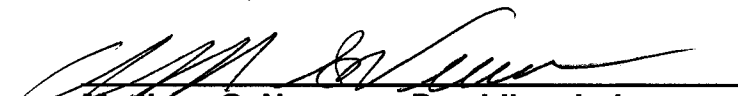
Cenpatico shall provide Pre-Trial Services or APD the following facts concerning the persons identified:

1. Whether the subject individual is, or has been previously, enrolled as a client of the RBHA, and is designated as SMI.
2. The name of clinic or provider, name of case manager, and telephone number.

**IT IS FURTHER ORDERED** as follows:

1. Pre-Trial Services, APD, and Cenpatico shall implement protocols for the release and exchange of information required by this order, in a manner that will accommodate routine as well as emergency requests for information 24 hours a day--seven days a week.
2. Pre-Trial Services and APD shall maintain the confidentiality of all information provided to or from Cenpatico pursuant to this order, and shall only provide information to persons servicing the individuals identified.
3. Cenpatico shall maintain the confidentiality of information provided by Pre-Trial Services and APD, pursuant to this order.

DATED this 16<sup>th</sup> day of February, 2018.

  
Matthew G. Newman, Presiding Judge  
La Paz County Superior Court