

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF YAKIMA

CONFIDENTIALITY OF DRUG AND ALCOHOL ABUSE PATIENT RECORDS

The confidentiality of alcohol abuse patient records maintained by a treatment program is protected by federal law and regulations. Generally, the program may not say to a person outside the program that a patient attends the program, or disclose any information identifying a patient as an alcohol abuser **unless:**

- (1) The patient consents in writing;
- (2) The disclosure is allowed by a court order after special notice and hearing; or
- (3) The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.

Violation of the federal law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with federal regulations.

Federal law and regulations do not protect any information about a crime committed by a patient either at the program or against any person who works for the program or about any threat to commit such a crime. Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under state law to appropriate state or local authorities.

(See 42 U.S.C. § 290dd-3 and 42 U.S.C. § 290ee-3 for federal laws and 42 C.F.R. Part 2 for federal regulations.)

CONSENT TO DISCLOSURE

The undersigned, in applying for participation in the Yakima County District Court DUI Court Program, after reading the confidentiality notice above, does hereby consent to disclosure of alcohol abuse program patient information and records as follows:

- Disclosure, communication, and release of information by and between the Yakima County Assessment and Referral Services, any substance abuse treatment provider, and the members of

the Yakima County District Court DUI Court Team, including the DUI Court Judge, the Prosecuting Attorney and the assigned DUI Court Deputy Prosecuting Attorney, the Public Defender and the assigned DUI Court Defender and/or any other attorney representing me, and any other person or agency officially participating in the DUI Court program or who is providing services as a "qualified service organization". This includes UA test results, evaluations, progress reports, medical information, criminal histories, treatment plans and summaries.

- Open sessions of DUI Court which will be attended by other DUI Court participants and may be attended by members of the public, including other participants and family members, and which will involve the open discussion of my participation and progress in substance abuse treatment and DUI court, but which will not involve release of sensitive medical or family information or the release of any written reports or records.
- Disclosure by the DUI Court Judge and/or his designee of my participation, general progress, and status in DUI Court to the Judge of any other court which is supervising me for the purpose of coordinating my participation in DUI Court with my supervision in that court. (See NOTE below.)
- Public graduation ceremonies reflecting and celebrating the significance of this accomplishment and which would involve other participants, my family, invited community leaders, and the public.

The purpose of, and need for, this disclosure is to inform the court and all other named parties composing the DUI Court team and any other agencies officially participating Yakima County District Court DUI Court program, of my eligibility and/or acceptability for substance abuse treatment services in DUI Court and my treatment attendance, participation, prognosis, compliance, and progress in accordance with the DUI Court program's monitoring criteria. Disclosure of this confidential information may be made only as necessary for, and pertinent to, hearings and/or reports concerning the charges pending in the above matter and does not authorize the use of the released information for any other purpose or proceedings.

I understand that this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination of my involvement with the DUI Court program for the above referenced case, such as the denial of admission into DUI Court, the discontinuation of all court supervision upon my successful completion of the DUI Court requirements OR upon conviction and sentencing for violating the terms of my DUI Court participation.

NOTE: I understand that if I voluntarily sign a separate consent and authorization for release of DUI Court information to another supervising court or probation agency, the terms of that release and authorization will control. I understand that I may limit any such release of DUI Court information to my progress in DUI Court and to urinalysis/breath result. I should sign any such consent for disclosure only after conferring with my attorney or the DUI Court Defender.

Date

Signature

Attorney for Defendant or Witness

Print Name

Date of Birth**Interpreter's Certification**

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the language which the defendant understands, and I have translated this entire document for the defendant from English into that language. The defendant has acknowledged his/her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Date and Place Signed

Interpreter