

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 964

Session of
1981

INTRODUCED BY MOEHLMANN, JACKSON AND MILLER, MARCH 23, 1981

AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 1, 1981

AN ACT

1 Amending the act of July 9, 1976 (P.L.817, No.143), entitled "An
2 act relating to mental health procedures; providing for the
3 treatment and rights of mentally disabled persons, for
4 voluntary and involuntary examination and treatment and for
5 determinations affecting those charged with crime or under
6 sentence," further providing for the confidentiality of
7 records.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 111, act of July 9, 1976 (P.L.817,
11 No.143), known as the "Mental Health Procedures Act," is amended
12 to read:

13 Section 111. Confidentiality of Records.--All documents
14 concerning persons in treatment shall be kept confidential and,
15 without the person's written consent, may not be released or
16 their contents disclosed to anyone except:

- 17 (1) those engaged in providing treatment for the person;
18 (2) the county administrator, pursuant to section 110;
19 (3) a court in the course of legal proceedings authorized by

1 this act; [and]

2 (4) pursuant to Federal rules, statutes and regulations
3 governing disclosure of patient information where treatment is
4 undertaken in a Federal agency; and

5 (5) persons charged with the administration or enforcement
6 of 18 Pa.C.S. § 6101 et seq. (relating to uniform firearms act). <—
7 § 6109 (RELATING TO LICENSES) SHALL BE PROVIDED SUCH INFORMATION <—
8 THAT RELATES TO PSYCHOTIC OR VIOLENT BEHAVIOR OF AN APPLICANT
9 FOR A LICENSE TO CARRY A FIREARM.

10 In no event, however, shall privileged communications, whether
11 written or oral, be disclosed to anyone without such written
12 consent. This shall not restrict the collection and analysis of
13 clinical or statistical data by the department, the county
14 administrator or the facility so long as the use and
15 dissemination of such data does not identify individual
16 patients. Nothing herein shall be construed to conflict with
17 section 8 of the act of April 14, 1972 (P.L.221, No.63), known
18 as the "Pennsylvania Drug and Alcohol Abuse Control Act."

19 Section 2. This act shall take effect immediately.