



Ohio Administrative Code Rule 5122-27-06 Release of information.

Effective: October 31, 2019

- (A) Each request for information regarding a current or previous client shall be accompanied by an authorization for release of information, except as specified in sections 5119.27, 5119.28, and 5122.31 of the Revised Code.
- (B) The authorization for release of information shall include, but not be limited to, the following:
- (1) The full name of the client.
 - (2) Date of birth of the client.
 - (3) The specific information to be disclosed, and the purpose of the disclosure.
 - (4) The name of the person or entity disclosing the information.
 - (5) The name of the person or entity receiving the information.
 - (6) The date, event, or condition upon which the authorization shall expire.
 - (7) Statement that the consent is subject to revocation at any time except to the extent the provider or person who is to make the disclosure has already acted in reliance on it.
 - (8) Either a statement that the provider will not condition treatment, payment, enrollment, or eligibility on clients authorization for the release of information, or a statement of the consequences to the client if client refuses to sign an authorization for the release of information.
 - (9) The dated signature of the client or, as appropriate, a legally authorized agent and the agent's relationship to the client.



(10) For clients receiving addiction services treatment, the either of the following statements:

(a) "This information has been disclosed to you from records protected by federal confidentiality rules (42 CFR part 2). The federal rules prohibit you from making any further disclosure of information in this record that identifies a patient as having or having had a substance use disorder either directly, by reference to publicly available information, or through verification of such identification by another person unless further disclosure is expressly permitted by the written consent of the individual whose information is being disclosed or as otherwise permitted by 42 CFR part 2. A general authorization for the release of medical or other information is not sufficient for this purpose (see 42 CFR 2.31). The federal rules restrict any use of the information to investigate or prosecute with regard to a crime any patient with a substance use disorder, except as provided at 42 CFR 2.12(c)(5) and 42 CFR 2.65."; or,

(b) "42 CFR part 2 prohibits unauthorized disclosure of these records.

(11) For records relating to mental health services, information from other providers that is contained in the individual client record may be released from the individual client record with the written authorization provided in accordance with the provisions of this rule. For records relating to addiction services, information from other providers that is contained in the individual client record may be released from the individual client record only if the written authorization provided in accordance with this rule explicitly authorizes both the disclosure of providers records and the re-disclosure of the other providers records.

(C) If the client is a minor, the release of information shall either:

(1) Be signed by the clients parent or legal guardian;

(2) In the case of providers who are certified to provide mental health services, may be signed by a client of fourteen years of age or older if all other requirements of section 5122.04 of the Revised Code are met;

(3) In the case of providers who are certified to provide addiction treatment services, be signed by the client and the clients parent or legal guardian; or,



(4) In the case of providers who are certified to provide addiction treatment services and minor clients providing consent to treatment pursuant to section 3719.012 of the Revised Code, the client shall sign the release of information.

(D) In the case of providers who are certified to provide addiction treatment services, when providing services to clients who are minors but who are not providing consent pursuant to section 3719.012 of the Revised code; the provider must either obtain the clients authorization to contact the clients parent or legal guardian or find the minor lacks in capacity to make a rational choice in accordance with 42 C.F.R. part 2.14(c)(2).