

Community Healthlink Policy and Procedure Manual		
Section: 7 Clients' Rights and Responsibilities	Policy Number: 7-05-2	Effective Date: 7/1/01
Title: Requests –Potentially Lethal Instruments		Review Date: 05/19/17
Scope:		Originated: 7/1/01
References:		
Revisions: 11/11/02, 09/10/13, 4/5/17		

Purpose:

To establish guidelines for responding to requests from responsible authorities for clinical opinions in situations involving potentially lethal instruments, for example, possession of firearms.

Policy:

Consistent with applicable laws, regulations, and standards, CHL staff will protect the privacy of client information, client autonomy, and the protection of the client and the public when there is a danger to the client or the community.

Procedures:

1. CHL staff will not automatically reject or routinely respond to requests for clinical opinions in situations involving potentially lethal instruments. Each request must be assessed on an individual basis.
2. Concerning such requests, staff must consult their supervisor both on clinical concerns and confidentiality or legal aspects of a request.
3. All responses to requests for information on clients must be in accordance with CHL Policies including those on record confidentiality and privacy.
4. All requests must be approved by the Program Manager.
5. A client must sign a release before any opinion can be rendered, regardless of opinion content.
6. Staff must have prior and/or present knowledge of the client at the time of the request.
7. Staff should not render opinions for individuals who the clinician does not have present and/or recent previous contact with.
8. Staff must consider the client's past history including violence and impulsively before rendering an opinion.
9. All opinions must be written and co-signed by the clinician's supervisor and the Chief Medical Officer. A copy of the report shall be filed in the client's record.
10. If a determination is made to render an opinion, staff are encouraged to include in their response a statement emphasizing that the opinion is the judgment at one point in time. Suggested statements include:

“Nothing in the client's record to contraindicate client possessing firearms.”

“Opinions stated in this letter represent a judgment of this client at the present time and are not intended as a prediction of client's future behavior.”

11. All requests will be subject to a fee, payable before a report is released. Fees may be waived following the usual the procedure (See Policy 8-9).

Responsibility: All clinical staff, Medical Director