

Confidentiality | Line Leaders

What Line Leaders Need to Know about Confidentiality and Mental Health

Standards of Confidentiality^{3,4}

Command notification by health care providers is prohibited for protected health information when a service member voluntarily requests mental health care or substance misuse education, unless the service member authorizes the notification, or the disclosure is authorized due to limits of confidentiality.

All members of the health care team are bound by limits of confidentiality. This includes nurses, dentists, medical assistants, behavioral health technicians, behavioral health providers, and front desk staff.

Limitations to Confidentiality^{1,2,4,5,7,8}




Notification to the line leader is required for the following:

- **Harm to Self:** Serious risk of self-harm by the service member as a result of the condition itself or medical treatment of the condition
- **Harm to Others:** Serious risk of harm to others by the service member to include any disclosures concerning child abuse, sexual abuse, or domestic violence
- **Harm to Mission:** Serious risk of harm to a specific military operational mission by the service member due to a disorder that impacts impulse control, insight, reliability, and judgement
- **Special Personnel:** Service members assigned to Nuclear Weapons Personnel Reliability Program and other special duties (e.g., military law enforcement)
- **Inpatient Care:** Admission or discharge of a service member from an inpatient mental health facility including partial hospitalization programs, intensive outpatient programs, and residential programs
- **Acute Medical Conditions Interfering with Duty:** Acute mental health or substance abuse condition that impairs the service member's ability to perform assigned duties
- **Problematic Substance Use Treatment Program:** Voluntary or involuntary enrollment in a substance abuse outpatient or inpatient program due to findings from initial evaluation
- **Command-Directed Mental Health Evaluation:** Mental Health Evaluation findings from a command-directed mental health evaluation
- **Other Special Circumstances:** Case by case basis when the execution of a military mission outweighs the interest served by avoiding notification to command; prior to disclosing patient's health information, carefully consider the limits to confidentiality

REAL WARRIORS * REAL BATTLES
REAL STRENGTH

VISIT [HEALTH.MIL/REALWARRIORS](https://health.mil/realwarriors)
to learn about resources for staying
mission ready.

Join the conversation:

  @RealWarriors
 @RealWarriorsCampaign

NEED TO TALK? Contact the
Psychological Health Resource Center
for free 24/7 confidential support:

• 866-966-1020
• health.mil/PHRC

IF IN CRISIS CALL/TEXT 988

ADDITIONAL RESOURCES:

• militaryonesource.mil
• health.mil/inTransition

4 Tips for Maintaining Confidentiality

1. Familiarize yourself with policies related to the protection of patient health information
2. Inform your service members of your limits to confidentiality (i.e., harm to the mission, harm to self or others, including sexual assault or domestic violence)
3. Consult your service member's health care team with any information that you believe may be pertinent to the health and welfare of your service member or mission accomplishment⁴
4. Demonstrate confidentiality by building partnerships, enabling, and encouraging service members to feel comfortable in obtaining care via self or medical referrals while furthering the successful accomplishment of the military mission⁴

Policies to Reference for Guidance

1. [DODI 1010.04 Problematic Substance Use by DOD Personnel](#)
2. [DODI 6490.04 Mental Health Evaluations of Members of the Military Services](#)
3. [DODI 6025.18 Health Insurance Portability and Accountability Act \(HIPAA\) Privacy Rule Compliance in DOD Health Care Programs](#)
4. [DODI 6490.08 Command Notification Requirements to Dispel Stigmas in Providing Mental Health Care to Service Members](#)
5. [DODM 5210.42 Nuclear Weapons Personnel Reliability Program](#)
6. [Military Rules of Evidence, Rule 503](#)
7. [DODI 6400.01 Family Advocacy Program](#)
8. [DODI 6495.02 Sexual Assault Prevention and Response: Program Procedures](#)

Additional Mental Health Resources

- [Military Chaplains](#)
- [Military and Family Life Counseling](#)
- [Military OneSource](#)
- [988 Suicide & Crisis Lifeline](#)
- [Veterans Crisis Line](#)
- [Psychological Health Resource Center](#)