

Confidentiality | Providers

What Providers Need to Know about Confidentiality and Mental Health

Standards of Confidentiality^{3,4}

Health care providers are prohibited from sharing protected mental health information unless it is authorized by the service member, authorized due to limits of confidentiality, mandated by policy, or required by court order.

Who has access to Protected Health Information?

- Chain of command (within limits of confidentiality)
- Health care team (i.e., nurses, dentists, medical assistants, mental health technicians, mental health providers, and front desk staff)

3 Tips for Maintaining Confidentiality

1. Consultation

- Consult your professional code of ethics for important privacy guidelines
- Consult with another health care provider to ensure service member's safety if uncertain whether command notification is warranted

2. Health Insurance Portability and Accountability Act (HIPAA)³

- Follow HIPAA guidelines in accordance with federal law and DOD issuances

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

- Mandatory reporting is required for the following: harm to self, harm to others, harm to mission, special personnel assignments, inpatient care, acute medical conditions interfering with duty, problematic substance use treatment program, command-directed mental health evaluations, and other special circumstances such as disclosure of sexual assault or family violence

- Ensure limits of confidentiality are clearly described on clinic intake documents so patient is fully informed prior to them sharing information with the provider.
- Review limits of confidentiality with service member before initiating treatment to ensure they understand the limitations and they provide informed consent for treatment
- Prior to disclosing patient's health information, carefully consider the limits to confidentiality

A Suicide Prevention Tip

Creating a safety plan in the absence of serious risk of harm to self or others can be beneficial in reducing suicide risk for any service member enrolled in mental health care and does not warrant a command notification.

Additional Mental Health Resources

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

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:
[Facebook](#) [Twitter](#) @RealWarriors
[Instagram](#) @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

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](#)