


TEXARKANA POLICE DEPARTMENT GENERAL ORDERS MANUAL

SUBJECT	Release of Medical Information, Laboratory Results and Psychological Records		
NUMBER	1102.32	EFFECTIVE DATE	May 18, 2011
Scheduled Review Date	March 24, 2022	ISSUE DATE	May 18, 2011
Date Reviewed	May 31, 2020	REVISION DATE	
APPROVED BY		(Reserved for Expansion)	

I. Purpose and Scope

- A. The purpose of this policy is to provide clear and concise guidelines that govern the manner in which employees of the Texarkana Police Department release medical information, laboratory results and data associated with psychological records that is stored and maintained within the Department.

II. Policy

- A. It shall be the policy of the Texarkana Police Department to remain compliant with the provisions set forth within the *Health Insurance Portability and Accountability Act of 1996* (HIPPA). Employees of the Texarkana Police Department shall follow the established HIPPA rules and regulations associated with the protection and privacy of individually identifiable health information. All members of the Department shall recognize and adhere to the guidelines set forth within this policy.

III. Procedure

- A. During the course of lawful investigations conducted by members of the Texarkana Police Department, employees of the Department may obtain through the legal process medical records, laboratory results and psychological records connected to those individuals involved within a criminal investigation. Although not inclusive, the following is a list of those records that fall within this protected category:
 1. BAC results;
 2. Toxicology results;
 3. Autopsy results;
 4. Emergency room treatment reports;
 5. SANE reports; (*Sexual Assault Examination Records*)
 6. Medical / hospital patient records; and
 7. Psychological reports from psychologists, psychiatrists, treatment facilities and hospitals.

Page 1 of 2	Effective Date: May 18, 2011
Subject: Release of Medical Information, Laboratory Results and Psychological Records	Number: 1102.32

- B. Medical information, laboratory results and psychological records may be forwarded to the Prosecuting Attorney's Office or another judicial officer authorized to receive the information pursuant to the judicial process.
- C. Medical information, laboratory results and psychological records are not subject to the Freedom of Information Act and shall not be released to any insurance company, private investigator or the general public without the written consent of the person who is the subject of the protected information.
 - 1. In the event of the death of the person who is the subject of the protected information, their next of kin or a person having granted power of attorney over the person's affairs must endorse the waiver that grants the release of the protected information before such a release is authorized.
- D. HIPPA releases endorsed by the subject of the protected information—or an authorized person—must be notarized and presented to either CRC or the appropriate Department official before such a release is authorized. All HIPPA releases must specifically identify the authorized recipient of the protected information.
- E. Pursuant to the Department's Freedom of Information Act policy, all releases of protected information identified within this policy shall not occur until the case has been adjudicated unless written authorization to release the protected information is received from the Prosecuting Attorney's Office for felony investigations, or by the City Prosecutor in the case of misdemeanor investigations.
- F. For more information surrounding the Department's FOI policy, refer to [General Order 1102.16---Freedom of Information Requests.](#)

Page 2 of 2	Effective Date: May 18, 2011
Subject: Release of Medical Information, Laboratory Results and Psychological Records	Number: 1102.32