

Outline

Confidentiality of Mental Health Records

Interaction of State Mental Health and Federal AODA Privacy Laws

Patient Access

Release With Authorization

When and to Whom Records Can Be Released

Psychotherapy Notes

What Are They?

Who Controls Them?

Disclosure Without Authorization

Permitted Disclosures for Treatment

Permitted Disclosures for Other Reasons

Mandatory Disclosures

HIV Records

Subpoenas, Court Orders, Testimony, and Law Enforcement

Subpoenas

Different Types of Subpoenas

What Do You Have to do?

Limitations on Subpoenas

Court Orders

Court Orders for Records

Court Ordered Examinations

Search Warrants

Providing Testimony

Therapist Privilege

Depositions

Trial Testimony

Law Enforcement

Authority to Obtain Information

Investigations

Areas of Uncertainty

Disclosure of Impending Discharge

Disclosure of Treatment of Certain Injuries

Voluntary and Involuntary Mental Health Commitments

Grounds for an Involuntary Commitment

Threat to Others

Threat to Self

Procedures

Balancing the Rights of Minors

Mental Health Records and the Rights of Minors

Rights of Minors to Refuse/Consent to Treatment

Access to Records

Rights of Minors to Control Access to Their Records

Alcohol, Drug Abuse and Treatment Issues for Minors

Parental Rights

Divorce Issues

Custodial vs. Non-Custodial Parents

Foster Parents

Adoptive Parents

Educational Health Records and FERPA

Emancipation

Minors and Medical Treatment

Professional Boundary Issues

Boundary Issues: Therapeutic

The Dual Relationship

Special Issues for Rural Providers

Social Media

Boundary Issues: Civil Liability

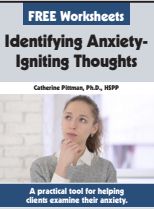
Boundary Issues: Regulatory Issues

Process and Procedure

Telehealth and Teletherapy

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- Duty to warn in Wisconsin
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- Protecting and properly disclosing health information
- Understanding the licensing board complaint process

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Legal and Ethical Issues in Behavioral Health in Wisconsin


A better understanding of your ethical and legal obligations can not only help you provide more effective treatment to your clients, but can help you avoid costly mistakes. This seminar will provide you with the necessary tools to avoid a wide range of ethical and legal pitfalls.

Join attorney and emergency department physician Daniel L. Icenogle for an entertaining and enlightening day and leave with a greater understanding of the latest Wisconsin law as it relates to mental health. You will take home practical strategies to minimize and manage legal and ethical risks and you will learn how to immediately implement these risk reducing strategies into your practice.

If you attend only one seminar this year, make it this one.

Target Audience:

Social Workers • Counselors • Psychologists • Marriage & Family Therapists • Nurses
AODA Professionals • Health Information Managers • Medical Records Professionals



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Meet Your Speaker

DANIEL L. ICENOGLE, JD, M.D. is a health law attorney and an emergency department physician, practicing law in the firm of Icenogle & Associates, LLC, Readstown, Wisconsin, which provides a variety of health law services for physicians, hospitals and other medical providers. He is a 1981 graduate of Loyola Stritch School of Medicine and a 1992 *cum laude* graduate of the University of Wisconsin Law School. He was formerly chair of the board of directors for the Wisconsin State Bar Health Law Section, and is a member of the American Health Lawyers Association. He is also a member of the Wisconsin Medical Society and its council on Health Care Access and Financing.

Disclosures:
Financial: Daniel Icenogle is a health law attorney for Icenogle and Associates, LLC. He receives a speaking honorarium from PESI, Inc.
Non-financial: Daniel Icenogle has no relevant non-financial relationship to disclose.

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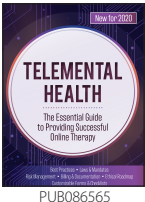
- Self-study CE certificate available

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David D. Burns, M.D.
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PUB086345



Telemental Health
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Joni Gilbertson, MA, NCC, LCPC, LMHC, BC-TMH, CTMH
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