



HB 1413/SB 5435: Sharing mental health information

Allow Sharing of Mental Health Information for Care Coordination

Patients are better served when their health care providers have the whole picture, including both physical and mental health information. Currently, Washington State law is confusing and prevents care coordinators from accessing mental health information. State law needs to be updated to clearly allow this important access, while maintaining the privacy and confidentiality of sensitive information.

Integrated whole person care needs robust, informed coordination

Fragmented health care information can lead to care that is disjointed and redundant and can result in increased health care costs. Care coordination that takes into account information about a patient's physical health, substance use disorder, and mental health leads to high-quality, efficient and lower-cost care that is right for the patient.

Current Washington State law causes unnecessary confusion and barriers to care coordination

State and federal law protect patient privacy, but state law creates confusion about what information can be shared with care coordinators. State law allows sharing of mental health information without patient authorization in limited circumstances that are specifically listed, but the statute is conflicting and unclear about just what is allowed. While the statute gives general permission to share mental health information with properly trained people for care coordination, it also specifically states that mental health information can only be shared for care coordination by certain licensed providers who are actively treating the patient. These conflicting provisions create confusion. Under rules of statutory construction, laws on a specific topic control over more general statements. Unfortunately, fear about violating the unclear law is preventing necessary sharing of mental health information.

Care coordinators provide essential services and need access to mental health information

Care coordinators are a vital tool to help identify patient needs for integrated, whole person care. They often have a



The care team, including care coordinators, need access to both physical and mental health information to improve patient care and outcomes.

background in patient services, social work, and counseling and their training includes education on state and federal health information confidentiality laws. Allowing care coordinators access to mental health information can free up licensed providers to provide direct patient care. However, these important work force members cannot access mental health information under current state law that specifically requires that mental health information can only be shared for care coordination if two requirements are met: (1) the information is accessed only by certain licensed providers (such as physicians, psychologists, ARNPs and nurses) and (2) the providers are actively treating the patient. Care coordinators are specially trained in coordination and state and federal privacy laws, but are not always specially licensed and may not provide direct patient care.

Mental health information can be used for care coordination while maintaining the privacy and confidentiality of sensitive information

Allowing care coordinators who are specially trained in state and federal health information confidentiality laws to access mental health information maintains patient privacy while improving care.

WSHA position

Increase safe, effective, and efficient care by amending RCW 70.02 to make clear that mental health information can be shared for care coordination purposes with the care team.