

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Mental Health Information Act of 1978 to permit the disclosure of mental health information by a third-party payor to a health care provider in certain enumerated instances, to require a health care provider to notify clients whether a third-party payor’s privacy practices permit the disclosure of mental health information, and to allow clients to prevent the disclosure of mental information by a third-party payor upon request.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the “Mental Health Information Disclosure Temporary Amendment Act of 2018”.

Sec. 2. Section 301 of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1203.01), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Strike the phrase “a health care provider” and insert the phrase “a health care provider or its third-party payor” in its place.

(2) Strike the phrase “case management, or rehabilitation of a health or mental disorder” and insert the phrase “case management, conduct of quality assessment and improvement activities, or rehabilitation of a health or mental disorder” in its place.

(b) Subsection (c) is amended as follows:

(1) Paragraph (1)(A) is amended by striking the phrase “Whether the health care provider’s” and inserting the phrase “Whether the health care provider or its third-party payor’s” in its place.

(2) Paragraph (2) is amended by striking the phrase “the health care provider” and inserting the phrase “the health care provider or its third-party payor” in its place.

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Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia