



North Carolina Department of Correction
Division of Prisons
Policy Summary Sheet

Access to Information/Inmate Records

Chapter : D

Section : .0600

Current Review Date: October 5, 2007
Reviewed By: DOP Executive Services
Next Review Due: **October 5 2008**

Current Revision Date: October 5, 2007
Supersedes Revision Dated: September 1, 2006

Current Revision Summary (if applicable):

The following change(s) are effective:

.0601 (c) (2) now reads: Mental Health Records

The content of inmate mental health records may be released to the attending psychologist, psychiatrist, or governmental agencies directly involved in mental health, rehabilitation, disability services or evaluations with a valid authorization for release of information. Mental health records may be released to an inmate's legal counsel or other requestors upon written request, accompanied by a valid authorization. The request must specify with reasonable clarity, the particular records of treatment needed. If the mental health records do not contain reference to the treatment with which the attorney is concerned, the attorney will be so advised. The attorney or other requester to whom mental health records are released shall promise in writing not to allow the inmate, former inmate or their families direct access to the records, but may discuss the contents of the record with the inmate or former inmate. The attorney or requestor will not reveal the contents of the records to other persons, except mental health professionals, such as psychologist or psychiatrist, who may be employed as an expert witness. If an attorney or requestor shall violate his/her promise to maintain the confidentiality of the mental health records, he/she and/or the firm with which he/she is associated shall lose the privilege of having access to mental health records.

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Upon receipt of a court order to release mental health information to an inmate, the Mental Health Services Director will review all mental health records prior to release to an inmate to determine if any material contained in the requested records poses risk or harm to another person, or would violate the confidence of a third party. In such instances, the Mental Health Director may appeal to the court.

Photocopies of medical/mental health records will be provided at the expense of the requester.

May E. Cavell 10/5/07
Division Policy Coordinator Date