



O-06-007

FILED

2005 OCT 16 PM 3:30

In the County Courts at Law of Hays County, Texas

**STANDING ORDER REGARDING ACCESSIBILITY OF MENTAL HEALTH
RECORDS FOR PARTIES TO CRIMINAL CASES**

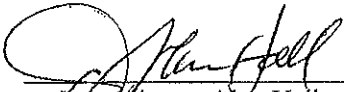
Pursuant to Texas Health and Safety Code Chapters 595 and 611, and 45 CFR 164.512(e)(1)(i) Health Insurance Portability and Accountability Act ("HIPAA"), each of which authorizes those in possession of protected health information to disclose it in the course of any judicial or administrative proceeding when responding to an Order of the Court, the County Courts at Law of Hays County, Texas, adopt this Standing Order Regarding accessibility of Mental Health Records for Counsel for the State and Defense. This order only applies to criminal cases and is as follows:

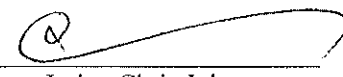
THEREFORE, IT IS HEREBY ORDERED THAT:

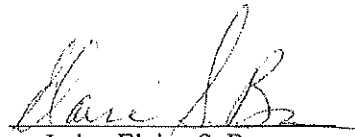
1. In all cases resolved within the jurisdiction of the Hays County Courts at Law and unless otherwise noted by a specific order of the Court, confidential Mental Health records shall be available to the Hays County Criminal District Attorney's Office and assigned Defense Attorney. For record and administrative purposes, the Clerk's office shall provide copies of Mental Health records to the Hays County Criminal District Attorney's Office and assigned Defense Attorney upon request.

2. Any person who receives any medical, mental health, or intellectual/developmental disability information pursuant to this Order is prohibited from using or further disclosing such information except to the extent that the use or disclosure is consistent with the authorized purpose for which the person first obtained the information.

THIS HAYS COUNTY STANDING ORDER REGARDING ACCESSIBILITY OF MENTAL HEALTH RECORDS FOR PARTIES TO CRIMINAL CASES SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION ON THE OFFICE OF COURT ADMINISTRATION'S WEBSITE.


Judge Jimmy Alan Hall
County Court at Law No. 1
Hays County, Texas


Judge Chris Johnson
County Court at Law No. 2
Hays County, Texas


Judge Elaine S. Brown
County Court at Law No. 3
Hays County, Texas