

Information about the Michigan Behavioral Health Standard Consent Form (MDHHS-5515) for People Who Have Experienced Domestic Abuse, Sexual Assault, Stalking, or Another Crime

For people with more than one health care provider, information-sharing among these providers can prevent mistakes, improve care coordination, and save time and money. In spite of these benefits, information-sharing may be risky for people who have experienced domestic abuse, whether or not the abuse is punishable as a crime.* Information-sharing may also be risky for people who have experienced other crimes, especially in cases where the crime victim and perpetrator have a past or present personal relationship. In these cases, sharing might give the perpetrator ways to learn about the victim's location or other private information, and to use this information to do further harm.

If you think that sharing your health information might be risky for you, these Frequently Asked Questions can help you talk with your health care provider about the risks and make an informed choice about providing your health information to other care providers. These Questions also will let you know about other community resources that can help you.

1. What is my “behavioral health information”? Is it confidential?

Your “behavioral health information” includes your health care provider's records about services you receive for your mental health needs and/or for any substance use disorders.

Records about your physical and behavioral health care are confidential. However, the federal Health Insurance Portability and Accountability Act (HIPAA) and the Michigan Mental Health Code let your health care provider share most types of health information without your written consent for the limited purposes of:

- Collecting payment for services,
- Treating your condition, and
- Coordinating your care with other providers.

*While some tactics of domestic abuse (like physical assaults) can be punished as crimes, other tactics that might be just as damaging cannot. Non-criminal acts of domestic abuse include: isolating a partner from family, friends, and other sources of support; blocking a partner's access to money, vehicles, food, medicine, or healthcare; and belittling, humiliating, or intimidating a partner.

2. Why have I have been asked to give my health care provider written consent to share my behavioral health information with other health care providers? How do I give this consent?

Michigan and federal laws require health care providers to get your written consent before they share some types of behavioral health information. Your health care provider may not share information about referrals and/or treatment for substance use disorders without your written consent. Also, you must consent in writing for your provider to share information about behavioral or mental health services that are provided by:

- The Michigan Department of Health and Human Services,
- A Community Mental Health Service Provider, or
- A provider under contract with one of the two above providers.

The State of Michigan Department of Health and Human Services has prepared a standard Behavioral Health Consent Form that you can sign to share the information just described. This form has the number MDHHS-5515 printed in the lower left corner. You can learn more about this form at www.michigan.gov/bhconsent.

The MDHHS-5515 consent form cannot be used in all cases.

- It cannot be used to share psychotherapy notes due to restrictions under federal law. Psychotherapy notes are taken by providers during private counseling conversations with you, with you and your family members, or with you while you are participating as part of a group. They are separate from the rest of your health record.
- It cannot be used to share any personally identifying information about you that is kept by an organization that gets certain types of federal funding to help you with domestic abuse, sexual assault, stalking, or another crime. These organizations must use their own consent forms, which can be tailored to reduce the risks of revealing your personal information to abuse or crime perpetrators. If you have received behavioral health services after an experience with domestic abuse or another crime and you are not sure whether your care provider must use a specialized consent form to share your information, ask your provider.

3. Why might I want to release information from my health care records?

If you are getting treatment from more than one care provider, sharing your health information among these providers can have these benefits:

- You may not have to repeat your health history to each provider.

- You may reduce the risk of one provider prescribing a service or treatment that is incompatible with a service or treatment that another provider has prescribed.
- You may improve coordination of services between different care providers.
- You may reduce the likelihood of mistakes in providing your care.
- You may save time and money.

4. If I have experienced domestic abuse, sexual assault, stalking, or another crime, what should I think about before I consent to sharing my health care information?

- How may sharing information help me? What might happen if I don't share this information?
- Will sharing help the person I'm afraid of to locate me? What might happen if that person locates me?
- Will the person I'm afraid of find out that I've talked with someone about abuse or a crime? What might happen if that person finds out?
- Will the person I'm afraid of be able to get the information I shared? How might that person use this information to hurt me?
- Who will get the information I share? How will that person use it? Will that person keep it confidential or share it with others? How will it be stored, and for how long?
- If I share this information now, will I have trouble keeping other information about my health care confidential later?
- If people I know (my employer, landlord, family, friends) learn about my health history, will it change how they treat me?

5. If I decide to release information from my health care records, how might I reduce the risks from domestic abuse, sexual assault, stalking, or another crime?

Get help and information:

- Talk with your care provider about the risks of sharing information and any specific concerns you have about sharing.
- Talk about your safety concerns with someone who helps people who have experienced domestic abuse, sexual assault, stalking, or another crime. See [question 6](#) for information on finding this kind of help.

Do advance planning for sharing:

- Talk with your health care provider about what will be released, how it might be shared, and what will be done with the information.

- Make sure what is shared is accurate. Ask to your care provider to show you any written records before they are shared, or to describe what he or she will say in any conversations about you.
- Choose a way to share that will reduce risk. For example, a phone call between care providers may be less risky than a written letter from one provider to another, which may be read by others.
- If a person you are afraid of might see what you shared, be sure you know in advance when the sharing will happen. If that is not possible, be sure that you are told about the sharing as soon as possible after it happens.

Limit sharing to only what is needed to accomplish your purpose:

- Give your care provider written permission to share by using a written “release” or “consent form” whenever possible.
 - Be sure you understand why you are sharing your information. Limit what you share to what is needed that purpose.
 - Limit the time for your consent to the minimum time needed to share the information.
 - Only release your information to people who need to see it.
- 6. If I need help with domestic abuse, sexual assault, stalking, or another crime, or if I was asked to release information from my health care records and need help to understand the possible risks of sharing, where can I go?**

National Domestic Violence Hotline: Call toll-free 24 hours a day anywhere in the U.S. Trained counselors provide confidential crisis intervention, support, information, and referrals to people experiencing domestic abuse, and to their families and friends. The hotline also links people to help in their area including shelters, counseling, legal advocacy and social assistance programs. Help is provided in English and Spanish with interpreters available for 139 more languages. All calls are confidential and anonymous.

- By telephone: 1-800-799-SAFE (7233).
- For Deaf individuals: 1-800-787-3224 (TTY) / Video phone: 1-855-812-1001 (Monday to Friday, 9 AM—5 PM PST). Deaf individuals can also contact the Hotline using Instant Messenger (DeafHotline) or Email deafhelp@thehotline.org.
- For the same services by live chat, visit: <http://www.thehotline.org/what-is-live-chat/>.

National Sexual Assault Hotline: Call toll-free 24 hours a day anywhere in the U.S. This service provides confidential counseling and support for individuals who have experienced sexual assault. The hotline automatically routes calls to the rape crisis center nearest the caller by reading the area code and prefix of the caller's phone number.

- By telephone: 1.800.656.HOPE (4673).

- Online chat: <https://ohl.rainn.org/online/>.

For people who have experienced stalking and other crimes:

VictimConnect: Provides confidential referrals and resources, including information about self-care and crime victim rights.

- To receive assistance by telephone, call 855-4-VICTIM (855-484-2846) from 8:30am – 7:30pm.
- Online chat is available 9:30am – 6:30pm.
- Information about stalking can be found at the [National Stalking Resource Center](#)

Michigan Resources

- To find the Michigan domestic violence or sexual assault program that is nearest your location, visit:
 - The Michigan Coalition to End Domestic and Sexual Violence at www.mcedsv.org/help/find-help-in-michigan.html, or
 - www.michigan.gov/domesticviolence.
- Assistance for members of Native American communities who have experienced domestic violence, sexual assault, or stalking can be found by contacting Uniting Three Fires Against Violence at (906) 253-9775.
- The Community Health and Research Center at the Arab Community Center for Economic and Social Services (ACCESS) offers a Victims of Crime Program that serves any victim of crime in the southeast Michigan community, including Wayne, Macomb and Oakland counties. Services include counseling, psychiatric services, case management and legal advocacy for people who have experienced domestic violence, child abuse, sexual abuse, rape, hate crimes, robbery, assault, theft, burglary, and survivors of homicide. Contact them at 313-216-2225 or www.accesscommunity.org/node/329
- The [La Vida Partnership](#) is a community program of the Community Health and Social Service (CHASS) Center in Detroit. La Vida Partnership is a domestic violence and sexual assault intervention and prevention program that provides linguistically and culturally appropriate services and resources targeted to Latino/a youth and families in Southwest Detroit and Southeast Michigan. Services are available in English and Spanish.
 - CHASS Center phone number: 313-849-3920. Persons in an abusive relationship who need help can select option “6” during the program’s hours of operation. Persons in need of immediate assistance should contact 911 or First Step Domestic Violence hotline at 888-543-5900.
 - Hours of Operation
M, W, Th, F: 8:00 am - 5:00 pm

Tuesday: 8:00 am - 8:00 pm
Saturday: 8:00 am - 12:30 pm

7. What should I do if I am in immediate danger?

If you are in immediate danger, call 9-1-1. If you are in your care provider's office and you feel safe for the moment, you may want to ask your provider if the office has a private space and phone so that you can call to speak with someone who can help you. See [question 6](#) for information on finding a program serving people who have experienced domestic abuse, sexual assault, stalking, or another crime.