



1 CLAIMANT'S MENTAL HEALTH RECORDS CONCERNING ANY WORK  
2 RESTRICTIONS PLACED ON THE CLAIMANT TO THE CLAIMANT'S EMPLOYER,  
3 SUPERVISOR, OR MANAGER, AND INFORMATION AS NECESSARY FOR THE  
4 ADJUSTMENT AND ADJUDICATION OF A CLAIM, BUT SHALL NOT DISCLOSE  
5 THE CLAIMANT'S ACTUAL MENTAL HEALTH RECORDS TO ANY THIRD PARTY  
6 WHO IS NOT DIRECTLY INVOLVED IN MEDICALLY EVALUATING, ADJUSTING,  
7 OR ADJUDICATING CLAIMS INVOLVING PSYCHOLOGICAL OR PSYCHIATRIC  
8 ISSUES WITHOUT THE CONSENT OF THE CLAIMANT UNLESS DISCLOSURE IS  
9 OTHERWISE ORDERED BY THE DIRECTOR OR AN ADMINISTRATIVE LAW  
10 JUDGE.

11 (II) NOTWITHSTANDING SUBSECTION (3)(b)(I) OF THIS SECTION, IF  
12 THE CLAIMANT'S MENTAL HEALTH PROVIDER OR PHYSICIAN OBJECTS TO  
13 THE RELEASE OF MENTAL HEALTH RECORDS, THE INSURER SHALL NOT  
14 DISCLOSE THE MENTAL HEALTH RECORDS TO A THIRD PARTY UNLESS  
15 OTHERWISE ORDERED BY THE DIRECTOR OR AN ADMINISTRATIVE LAW  
16 JUDGE."

17 Page 4, strike lines 1 and 2.

18 Page 4, line 8, after "PROTECTED;" insert "AND".

19 Page 4, strike lines 9 through 27 and substitute:

20 "(II) (A) MAY DISCLOSE INFORMATION FROM THE CLAIMANT'S  
21 MENTAL HEALTH RECORDS CONCERNING ANY WORK RESTRICTIONS PLACED  
22 ON THE CLAIMANT TO THE CLAIMANT'S SUPERVISOR OR MANAGER AND  
23 INFORMATION AS NECESSARY FOR THE ADJUSTMENT OR ADJUDICATION OF  
24 A CLAIM, BUT SHALL NOT DISCLOSE THE CLAIMANT'S ACTUAL MENTAL  
25 HEALTH RECORDS TO ANY THIRD PARTY WHO IS NOT DIRECTLY INVOLVED  
26 IN MEDICALLY EVALUATING, ADJUSTING, OR ADJUDICATING CLAIMS  
27 INVOLVING PSYCHOLOGICAL OR PSYCHIATRIC ISSUES WITHOUT THE  
28 CONSENT OF THE CLAIMANT, UNLESS DISCLOSURE IS OTHERWISE ORDERED  
29 BY THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE.

30 (B) NOTWITHSTANDING SUBSECTION (3)(c)(II)(A) OF THIS  
31 SECTION, IF THE CLAIMANT'S MENTAL HEALTH PROVIDER OR PHYSICIAN  
32 OBJECTS TO THE RELEASE OF MENTAL HEALTH RECORDS, THE  
33 SELF-INSURED EMPLOYER SHALL NOT DISCLOSE THE MENTAL HEALTH  
34 RECORDS TO ANY THIRD PARTY UNLESS OTHERWISE ORDERED BY THE  
35 DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE.

36 (d) (I) A THIRD PARTY RECEIVING MENTAL HEALTH RECORDS  
37 PURSUANT TO THIS SUBSECTION (3) SHALL NOT DISCLOSE THE CLAIMANT'S  
38 ACTUAL MENTAL HEALTH RECORDS TO ANY PERSON WHO IS NOT DIRECTLY  
39 INVOLVED IN MEDICALLY EVALUATING, ADJUSTING, OR ADJUDICATING

1 CLAIMS INVOLVING PSYCHOLOGICAL OR PSYCHIATRIC ISSUES WITHOUT THE  
2 CONSENT OF THE CLAIMANT, UNLESS OTHERWISE ORDERED BY THE  
3 DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE.

4 (II) NOTWITHSTANDING SUBSECTION (3)(d)(I) OF THIS SECTION, IF  
5 THE CLAIMANT'S MENTAL HEALTH PROVIDER OR PHYSICIAN OBJECTS TO  
6 THE RELEASE OF MENTAL HEALTH RECORDS, THE THIRD PARTY SHALL NOT  
7 DISCLOSE THE MENTAL HEALTH RECORDS TO ANY OTHER THIRD PARTY  
8 UNLESS OTHERWISE ORDERED BY THE DIRECTOR OR AN ADMINISTRATIVE  
9 LAW JUDGE."

10 Page 5, strike lines 1 through 11.

11 Renumber succeeding subsection accordingly.

12 Page 6, line 14, strike "PROVIDER IN THIS STATE." and substitute  
13 "PROVIDER."

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