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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

BY MP  
DEBOTT

**IN AND FOR THE COUNTY OF PINAL**

**IN THE MATTER OF:** )  
**ESTABLISHING PROCEDURES TO** ) **ADMINISTRATIVE ORDER**  
**SHARE PROTECTED HEALTH** )  
**INFORMATION (Superseding and** )  
**Replacing A.O.2021-00061)** ) **No. 2023 - 00016**

**WHEREAS**, the Presiding Judge of the Superior Court of Arizona in Pinal County exercises administrative supervision over the Superior Court and Justices of the Peace in Pinal County; and

**WHEREAS**, there are individuals who come before the courts for various reasons which may be related to the person’s physical and/or mental health: capacity to stand trial (pursuant to Ariz.R.Crim.P. Rule 11); impairment to the extent the person lacks capacity to make or communicate responsible decisions (pursuant to ARS Title 14); allegations the person is a danger to self or others, persistently or acutely disabled, or gravely disabled (pursuant to ARS Title 36, Article 4 and Article 5); and

**WHEREAS**, the privacy rule of the Federal Health Insurance Portability and Accountability Act of 1996 (“HIIPPA”) specifically authorizes limited disclosure of protected information in the course of any judicial or administrative proceeding pursuant to a court or administrative order.

**WHEREAS**, the Code of Federal Regulations (“CFR”) in 45 CFR 164.512(e)(1)(i) requires consent from the individual or a court order specific to a case or individual to disclose certain protected information (including that associated with substance use disorder, and/or court ordered mental health treatment pursuant to ARS Title 36)

**WHEREAS**, a lack of information-sharing among various stakeholders with respect to individuals who are involved in both the justice system and behavioral health system may hinder the timely provision of needed services to such individuals and/or result in a longer period of detention than what might otherwise be possible; and

**WHEREAS**, in order to facilitate the identification of, and coordination of court proceedings and services for such individuals, it is essential that AHCCCS Complete Care (ACC) Health Plans are able to provide defense and state or other court-appointed counsel, as well as the court and its departments, with certain types of limited identifying information that will assist in providing continuity of care;

**NOW, THEREFORE, IT IS ORDERED:**

Administrative Order  
Sharing Protected Health Information

That, unless otherwise prohibited by Federal or State Law, AHCCCS Complete Care (ACC) Health Plans are authorized to provide defense and state or other court-appointed counsel, as well as the court and its departments, with certain types of limited identifying information that will assist in providing continuity of care to include:

- a. First, Middle and Last Name, and known aliases of the individual,
- c. Date of birth, gender of the individual,
- d. Whether the subject individual is, or has been previously, enrolled in AHCCCS, and if so, the individual's behavioral health category,
- e. Whether the subject individual is enrolled or previously enrolled in AHCCCS as a youth involved in children's services, and
- f. Name of clinic or provider

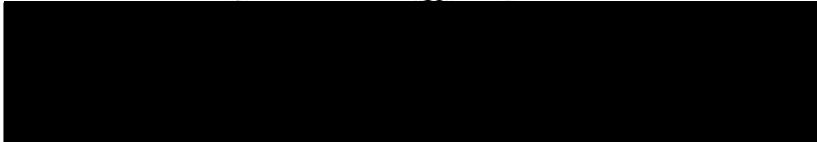
**IT IS FURTHER ORDERED:**

That upon learning of a person who is before the court for more than one case type case type, Criminal Rule 11, Title 14, Title 36, the Vulnerable Persons Unit is authorized to confirm the existence of such multiple cases, and to exchange medical/mental health information, whether orally or in writing, regarding persons before the Court or the subject of certain court orders, to the following persons or entities as applicable under federal and state statutes cited herein:

- The County Attorney's Office
- The Public Defender's Office
- Appointed counsel for the defense
- Any other person or attorney appointed to assist the person before the court
- The contracted ACC Health Plan
- Any other person to whom the Court directs

That agencies and their employees, or other persons, receiving such information shall not use such information for any purpose that is not the subject of this order; and shall maintain the confidentiality of all information provided to or from the AHCCCS Contracted Health Plans pursuant to this order, and shall not disseminate such information to any person or entity not under its supervision and control, except as provided by applicable law, rule, regulation, or court order.

Dated this 28 day of February, 2023

  
Hon. Joseph R. Georgini,  
Presiding Judge

**Administrative Order  
Sharing Protected Health Information**

**Distribution:**

**Clerk of Superior Court  
Mercy Care and ACC Health Plans  
Pinal County Public Defender's Office  
Defense Counsel  
Pinal County Attorney's Office  
Pinal County Jail  
Wexford Health  
Vulnerable Persons Unit**