

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FAMILY COURT DIVISION**

**Administrative Order**

**No. 2 of 2022**

**In re: Disclosure of Protected Health Information Pursuant to 45 C.F.R. § 164.512(e)(1)(i)**

**ORDER**

AND NOW, this 20<sup>th</sup> day of January, 2022, in order to effectuate the purposes of the Juvenile Act, 42 Pa C.S. § 6301 *et seq.* to provide for the care, protection, safety and wholesome mental and physical development of children, it is hereby ORDERED and DECREED that representatives of Community Behavioral Health Management (“CBH”) are authorized and directed to disclose relevant and protected health information to the Court during the juvenile proceedings. Furthermore, CBH is authorized to disclose said information to the Behavioral Health Forensic Evaluation Center (BHFECC). The following protected health information, consistent with the Health Insurance Portability and Accountability Act of 1996, 45 CFR § 160 *et seq.*, and specifically with 45 C.F.R. § 164.512(e)(1)(i) includes:

1. The mental health treatment history of the youth, including information relating to prior/current community-based treatment and/or treatment in a residential treatment facility and/or inpatient facility and prescribed medications.
2. The mental health treatment history of the youth’s parent or guardian, including current mental health services authorized.
3. The drug and alcohol treatment history of the youth and the youth’s parent or guardian, including information relating to prior/current community-based drug and alcohol treatment and/or drug and alcohol treatment in a residential treatment facility and/or inpatient facility and prescribed medications. Disclosure of drug and alcohol treatment information shall be pursuant to 42 C.F.R. Part 2 and 71 Pa. Stat. § 1690.108.

As required by Pa.R.J.A. 103(d), this Administrative Order has been submitted to the Supreme Court of Pennsylvania Juvenile Procedural Rules Committee for review and written notification has been received from the Rules Committee certifying that it is not inconsistent with any general rule of the Supreme Court. This Administrative Order shall be filed with the Office of Judicial Records (formerly the *Prothonotary, Clerk of Courts and Clerk of Quarter Sessions*) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified paper copies of this Administrative Order, accompanied by a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau on a computer diskette for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First

Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and local rules shall also be published in *The Legal Intelligencer* and will be submitted to *American Lawyer Media*, *Jenkins Memorial Law Library*, and the Law Library for the First Judicial District.

**BY THE COURT:**

**/s/ Margaret T. Murphy**

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**Hon. Margaret T. Murphy**  
**Administrative Judge**  
**Family Court Division**  
**Court of Common Pleas**