

# New England Psychological Services

## LIMITS OF CONFIDENTIALITY

According to state law, the communications between a licensed psychologist or social worker and their patients are confidential. The information contained in these communications may not be disclosed without the client's written consent, except in the following circumstances:

1. The patient presents a clear and present danger to him/herself and refuses appropriate treatment.
2. The patient communicates an actual threat of physical violence against another person or persons.
3. The patient has a history of violence and the psychologist or social worker has a reasonable basis to believe that there is a clear and present danger of physical violence to another identifiable person or persons.
4. There is a threat of imminently dangerous activity by the patient against him/herself or another person(s) and disclosure is necessary for the purpose of placing or retaining the patient in a psychiatric hospital.
5. The patient, or in the event of the patient's death, anyone acting on his/her behalf, maintains that his/her mental condition is an element in his/her claim or defense in a legal proceeding and the judge orders disclosure of the communications.
6. The judge, in the case of child custody or adoption, determines that the psychologist or social worker has evidence bearing on the issue of the patient's ability to provide suitable care and custody.
7. The patient initiates legal action against the psychologist or social worker and disclosure is necessary or relevant to the psychologist or social worker's defense.
8. For the administration or provision of benefits and expenses, diagnostic or treatment information may be disclosed to the appropriate insurance company, review board, hospital, medical service corporation or health maintenance organization.
9. State law requires that psychologists and social workers, in their capacity as mandated reporters, report suspected incidents of abuse and neglect of children and the elderly to the Department of Social Services.