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**BILL: SB 90 AUTHORIZES CERTAIN GOVERNMENTAL ENTITIES TO SHARE CERTAIN RECORDS IN THEIR POSSESSION CONCERNING DEFENDANTS AND OFFENDERS**

**DIVISION OF MENTAL HEALTH AND DEVELOPMENTAL SERVICES**

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- **SB90 would allow greater integration of mental health and medical care between the Division of Mental Health and Developmental Services and the Department of Corrections. Currently individual clients passing through the criminal justice system may be treated at multiple agencies (city, county and state) none of which may share information without a written release from the individual client. A client may leave the custody of Lake's Crossing Center and return to jail and ultimately become incarcerated at the prison. Mental Health and medical assessment provided at LCC may be duplicated unnecessarily if records are not readily available at the receiving state institution to provide information about prior services. Thus, even agencies within the state system may be duplicating care. If records could precede the individual defendant to an institution , a treatment plan could be initiated immediately upon arrival.**

**This bill would remove one of the barriers to bringing this possibility about.**

- **If a client who has formerly been incarcerated at the prison refuses to sign a release regarding his/her treatment there, the agency (LCC) must get a court order to obtain records. This effort is costly due to the increase in time that elapses before appropriate treatment can be initiated or assessment completed, thus lengthening the time a client may be incarcerated at LCC for mental health treatment. This refusal may, in fact, be a symptom of the client's mental illness; or it may be an indicator the defendant/client is avoiding cooperating with the assessment. In either case the lack of records prolongs the treatment process unnecessarily and extends the time the individual may go without appropriate treatment or progression toward adjudication.**
- **Between thirty and sixty percent of the population at Lake's Crossing Center at any given time have previously been incarcerated at the Department of Corrections in Nevada. Additionally, it is not uncommon for us to have these individuals sent to our facility because they committed another crime in prison and were deemed incompetent to proceed, or because their sentence was overturned, and competency was raised at that point. This bill would allow immediate access to their records for expediting their assessment, unless the court deems that access inappropriate and orders otherwise.**

- **A number of medical tests, such as hepatitis, HIV, and tuberculosis, end up being repeated at unnecessary intervals causing redundant costs to the state. As well, prior tests are not always rapidly available for comparison to current tests. This type of data sharing would help to develop a dialogue that would better protect the client as well as the community.**
- **Finally, state statutes already require the sharing of information in this manner for certain types of offenders, specifically those who have committed sexually related crimes.**