



## Gun Control Effort Affects Hospitals?



New gun control initiatives by President Barack Obama will result in a modification of the Health Insurance Portability and Accountability Act (HIPAA) Privacy rule. This means that there will be room to allow certain covered entities to disclose to the National Instant Criminal Background Check System (NICS) the identities of individuals who are prohibited by federal law from owning a firearm.

These could include individuals who have been involuntarily committed to a mental institution or who are deemed to be a danger to themselves or others by a lawful authority or those who lack the mental capacity to manage their own affairs.

The new rule will only apply to those who make the mental health determinations that disqualify individuals from a having a firearm or are required by their state to report this information to the NICS. The change in HIPAA privacy rule will help preserve the patient-provider relationship and will ensure that those who need help will not be discouraged from seeking voluntarily treatment.

It is important to note that the rule only requires the disclosure of minimum necessary identifying information about individuals and does not allow the reporting of diagnostic, clinical or other mental health treatment information. In addition, it is also important to realise that all those with mental health conditions are not necessarily violent and are in many cases, victims rather than perpetrators. This rule is not designed to create any negative attitudes or misconceptions about mental illness.

Source: [HHS.gov](http://HHS.gov)

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Published on : Sat, 9 Jan 2016