

IN THE DISTRICT/MAGISTRATE COURT OF THE THIRD
JUDICIAL DISTRICT, STATE OF IDAHO

FILED
8:30 A.M. _____ P.M.
AUG 17 1990
NEO J. KERR CLERK
[Signature]
DEPUTY CLERK

In Re: COURT ORDERED REFERRALS
TO THE VETERANS ADMINISTRATION
ALCOHOL AND DRUG TREATMENT PROGRAM

ADMINISTRATIVE
ORDER
90-4

Pursuant to the mandate of Title 38, United States Code, Section 4132(b)(2)(D), the Court has reviewed the State's process for making Court ordered referrals to the Boise Veterans Administration Medical Center Alcohol and Drug Treatment Program. In assessing good cause, the Court has weighed the public interest and the need for disclosure against the injury to the veteran/patient, to the physician-patient relationship, and to the treatment services. It is the Court's conclusion that the public's interest and need for this nonconsent disclosure substantially outweighs the injury to the veteran/patient, physician-patient relationship, and to the treatment services. This Administrative Order is retroactive to all referrals made after January 1, 1988. The Court shall impose appropriate safeguards against unauthorized disclosure.

DATED this 10th day of August, 1990

[Signature]
HONORABLE JIM DOOLITTLE
Administrative District Judge
Third Judicial District

cc: Veterans Administration
Drug Treatment Program
Building 44
500 West Fort Street
Boise, Idaho 83702-4598



**Department of
Veterans Affairs**

August 8, 1990

Office of District Counsel

Federal Building
Box 044
Boise ID 83724

(208) 338-7204
FTS 554-7204
FAX: 554-7950
(208) 389-7950

RECEIVED
AUG 13 1990

In Reply Refer to:
347702

Honorable Jim Doolittle
Administrative District Judge
Third Judicial District
1115 Albany
Caldwell, Idaho 83605

Re: Information Release; 38 U.S.C. Section 4132; Drug
and Alcohol Program Non-Consent Release; Request for
Administrative Order.

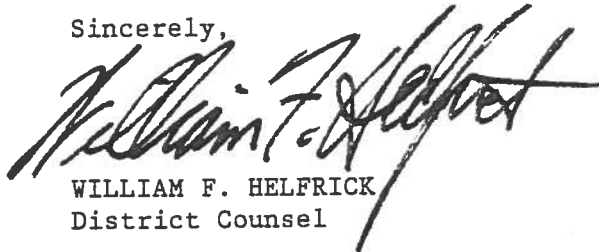
Dear Judge Doolittle:

The VA Medical Center, Boise, renders Alcohol and Drug Treatment to a significant number of Veterans who reside within your Judicial District. From time to time it is necessary to release information from the VA Medical Center, Boise, Alcohol and Drug Treatment Program to your Courts. In many of these instances it is impossible to obtain the Veteran's written consent for the release.

In order to accomplish the non-consent release of the above information to your Courts, I respectfully request that you consider executing the enclosed Administrative Order which speaks for itself. I have also enclosed a photocopy of the Order executed by the Fourth Judicial District Administrative Judge, Gerald F. Schroeder, which he executed for the same purpose. Please return the original signed Order to me, and distribute photocopies to all Courts in the Third Judicial District.

Thank you for your anticipated cooperation. If you have any questions, please do not hesitate to call me.

Sincerely,



WILLIAM F. HELFRICK
District Counsel

Encls.

cc: TO: *Sue* ADTP Social Worker (531/116)
THRU: *Bill* Medical Center Director (531/00)
Wayne Chief of Staff (531/11)
Patricia Assoc. Med. Center Director (531/001)
Medical Director, ADTP (531/116)
Program Director, ADTP (531/116)

WFH/k