



Family members are often involved when patients present for emergency care related to overdose. Providers need to know when they can legally share information about a patient, with whom, and what information can be shared..



### What You Need to Know

The U.S. Department of Health and Human Services Office for Civil Rights (OCR) has released guidance regarding working with patients' loved ones following an overdose.

#### KEY POINTS FROM THE OCR GUIDANCE INCLUDE:

- After an overdose, health professionals may share patient information with the patient's loved ones if they are in crisis and incapacitated, or face a serious and imminent threat of harm.
- Federal privacy law permits patients' families to be involved with their care following an overdose, while also protecting patients' right to decide when and whether their information will be shared.
- After a patient recovers from an overdose and regains capacity to make healthcare decisions, the patient still has the right to confidentiality - unless there is a serious and imminent threat of harm to the patient.



### For More Information

#### Resources

This resource is one of many that are available within the Center of Excellence for Protected Health Information's resource library which can be found at [coephi.org](https://coephi.org).

#### Request Technical Assistance

You can request brief, individualized technical assistance and join our mailing list for updates, including news about the publication of new resources and training opportunities, [here](#).



### Disclaimer

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Funding for the Center of Excellence for Protected Health Information was made possible by grant no. 1H79TI081743-01 from SAMHSA. The views expressed herein do not necessarily reflect the official policies of the Department of Health and Human Services; nor does mention of trade names, commercial practices, organizations imply endorsement by the U.S. Government.