


**FILED**

DEC 03 2014

DAVID H. YAMASAKI  
Chief Executive Officer/Clerk  
Superior Court of California County of Santa Clara  
BY  DEPUTY  
**Irene Lai**

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA

**STANDING ORDER REGARDING THE EXCHANGE OF DATA BETWEEN THE  
DEPARTMENT OF FAMILY AND CHILDREN'S SERVICES AND THE MENTAL  
HEALTH DEPARTMENT FOR CHILDREN PRESCRIBED PSYCHOTROPIC  
MEDICATION**

The Santa Clara County Department of Family and Children's Services ("DFCS") and Mental Health Department ("MHD") are working collaboratively to review those cases where dependent children have been prescribed psychotropic medication and are being served by the MHD. This effort is being undertaken to ensure that mental health, psychiatric, and medication management services are being coordinated between the MHD and the DFCS, particularly when psychotropic medication has been prescribed.

In order to determine the juvenile dependents being served by the MHD, an exchange of data of limited scope between the two agencies is necessary. The MHD has authority under Welfare and Institutions Code section 5328.04 to share confidential mental health care information to a county social worker for the purpose of coordinating mental health services for the minor.

Finding good cause for the exchange of this information for the purpose described herein,

IT IS THEREFORE ORDERED,

1. The DFCS is authorized to provide to the MHD a data extract from the CWS/CMS data system of those minors who are currently adjudged a dependent child of the juvenile court and have an open child welfare case with the DFCS. This data extract will be provided for a particular point in time, and may be provided at more than one point in time until the expiration date of this order. Any such data extract will include the Minor's name, Date of Birth, Social Security number, Psychotropic Medication(s) prescribed and authorized period of use; and assigned Social Worker. The data extract will not include voluntary child welfare cases, children who are placed outside of Santa Clara County and children who are in the care of their parents. Data must be sent using a secure data transmission method.

2. Based on the data extract from the DFCS, the MHD will review their data system and identify those children who are clients of the MHD and are receiving psychotropic medication. Pursuant to Welfare and Institutions Code section 5328.04, for those children, the MHD will provide the following information to the DFCS: Minor's name, UniCare identification number, Date of Birth, Diagnosis, Medication prescribed, Program Service Assignment, Agency providing service, Prescribing Psychiatrist, Date Service Began, and Date Service Ended (if applicable). Data must be sent using a secure data transmission method.
3. Information disclosed by the MHD pursuant to Welfare and Institutions Code section 5328.04 shall not be further disclosed by the DFCS unless the disclosure is for the purpose of coordinating health care services and medical treatment, or mental health or developmental disability services, for the minor. Further, any disclosure made by the DFCS of information received from the MHD shall be only to a person who would otherwise be legally allowed to obtain such information.
4. Information disclosed by the MHD shall not be admissible as evidence in any criminal or delinquency proceeding against the minor, pursuant to Welfare and Institutions Code section 5328.04 (c).
5. This order expires on January 1, 2016.

Dated: 12/3/14

*Shawna Schwarz*

Judge of the Superior Court

**SHAWNA SCHWARZ**