

By: Representative Blackmon

To: Judiciary B

HOUSE BILL NO. 343

1 AN ACT TO AUTHORIZE CIRCUIT AND COUNTY COURTS TO UTILIZE THE
2 MENTAL HEALTH RECORDS OF A DEFENDANT FOR BOND AND SENTENCING
3 HEARINGS; TO DEFINE THE TERM "MENTAL HEALTH RECORDS"; AND FOR
4 RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Notwithstanding any provision of the federal
7 Health Insurance Portability and Accountability Act (HIPAA), any
8 circuit or county court judge may obtain and utilize the mental
9 health records of a defendant during a bond or sentencing hearing.
10 As used in this section, the term "mental health records" means
11 any mental health histories, reports, summaries, diagnoses and
12 prognoses, treatment and medication information, notes and entries
13 from any mental health services provider.

14 **SECTION 2.** This act shall take effect and be in force from
15 and after July 1, 2018.

