

**Commissioner's Order 9-93. Commissioner's Order adopting the Privacy Act of 1974, Public Law 93-579, as the confidentiality policy for the Health & Human Services Department of the Mille Lacs Band of Ojibwe**

*MILLE LACS BAND OF CHIPPEWA INDIANS*

*Executive Branch of Tribal Government*

WHEREAS, pursuant to Mille Lacs Band Statute 1142-MLC-3, Section 8.09, the Commissioner of Health & Human Services has the authority to take such measures as are deemed necessary to prevent any action which threatens the well-being of programs within their respective jurisdiction, by the issuance of a formal commissioner's order, and;

WHEREAS, due to the confidential nature of the information processed within the Health & Human Services Department, and;

WHEREAS, due to the need to ensure that all privileged patient and client information maintains its confidential nature, and;

WHEREAS, due to the need for all staff who work directly and indirectly with patients and/or clients to respect the confidentiality of patient records and/or client files.

NOW THEREFORE, be it ordered that the Health & Human Services Department of the Mille Lacs Reservation and its employees shall treat all individual medical records and individual client files as confidential according to the following procedures. No individual medical records or patient files maintained by the Band's Health and Human Services Department may be disclosed to any individual or organization by any means of communication

except under the following circumstances: (1) pursuant to a written request by, or with the prior written consent of, the individual to whom the medical record or client file pertains; or, (2) unless disclosure of the record or file is to employees or officers of the Band or the United States Indian Health Service who have a need for the record in the performance of their duties, and then, only if the confidentiality provisions of this Order or similar federal law are adhered to. Where required by federal statute, disclosures under this Order shall additionally be governed by the requirements of 5 U.S.C. S552a and by 42 C.F.R. Part 2 (Confidentiality of Alcohol and Drug Abuse Patient Records).

Dated this 9th day of June, 1993.

Dan Milbridge

Dan Milbridge  
Commissioner of Health & Human  
Services

APPROVED AND NUMBERED AS  
TO FORM AND EXECUTION

James F. Pence

James Pence  
Solicitor General

OFFICIAL SEAL OF THE BAND