



Office of the Principal
Heritage Institute Of Medical Sciences, Varanasi

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NOTIFICATION
SOP FOR CONFIDENTIALITY IN CAMPUS MENTAL HEALTH SERVICES

SOP on confidentiality for psychiatric patients in Heritage Institute of Medical Sciences, Varanasi is governed by **Section 23 of the Mental Healthcare Act, 2017**, which guarantees the right to confidentiality regarding mental health, treatment, and physical health records. Information can only be released with explicit consent, to a Nominated Representative (NR) if capacity is lost, or under specific legal orders.

SOP for maintaining confidentiality of students suffering from psychiatric illnesses shall include:

1. **Scope of Protection:** All personal information, diagnosis, and treatment details in any format (physical, virtual, digital) are protected.
2. **Consent for Disclosure:** Information can generally only be shared with the explicit, informed consent of the patient.
3. **Exceptions (Breach of Confidentiality):**
 - a. **NR:** Information can be shared with NR when patient lacks capacity to consent.
 - b. **Emergency & Safety:** Information can be released if the person with mental illness poses a danger to themselves or others.
 - c. **Legal Orders:** Information can be disclosed if required by the Mental Health Review Board, the Central Mental Health Authority, or high courts.
 - d. **Referrals:** Information can be shared with other health professionals for the purpose of providing care.
4. **Media restrictions (Section 24):** No photographs or identifying information can be released to the media without the person's explicit consent.
5. **Procedure for dilemmas:** If a mental health professional cannot decide whether to disclose information, they should seek direction from Mental Health Review Board.
6. **Data Protection:** Digital systems and records must comply with privacy standards to prevent unauthorized access, as noted in studies regarding the Mental Health Care Act 2017 and data privacy in India.
7. **Legal and Ethical Considerations:**
 - a. **Capacity Assessment:** Confidentiality applies to anyone deemed to have capacity. If capacity is absent, decisions shift to the Nominated Representative.
 - b. **Tele-psychiatry:** Special care is needed in tele-psychiatric services to ensure data privacy and obtain implied consent.


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