



DEPARTMENT OF PUBLIC SAFETY

Dental Records Release Form



Authorization for Disclosure of Dental Record Information for a Missing Person

Name

Date of Birth

Social Security Number

I certify that a missing person report has been made in compliance with the provisions of the Missing Persons Information Act [29-15-1 NMSA 1978].

Signature of Law Enforcement Officer

Printed Name, Rank, Agency

To: Dental Practitioner/Clinic

You are hereby requested pursuant to the Laws of the State of New Mexico, [29-15-8 NMSA 1978] to produce all dental records of the above named missing person. Please include all original dental x-rays, dental chartings, periodontal chartings, treatment notes, treatment plans, photographs, and study models. Please release these records to the investigating law enforcement agency. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) also includes an exemption for law enforcement and medical examiners.

All original records will be returned to your office once the investigation has been completed. Thank you for your assistance.

Signature (Custodian or Immediate Family Member)

Printed Name

Date



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Statutory Chapter in New Mexico Statutes Annotated 1978 – 29-15-8. Release of dental records; immunity.

- A. At the time a missing person report is made, the law enforcement agency to which the missing person report is given shall provide a dental record release form to the custodian or immediate family member of the missing person. The law enforcement agency shall endorse the dental record release form with a notation that a missing person report has been made in compliance with the provisions of the Missing Persons Information Act [29-15-1 NMSA 1978]. When the dental record release form is properly completed by the custodian or immediate family member of the missing person and contains the endorsement, the form is sufficient to permit a dentist or physician in this state to release dental records relating to the missing person to the law enforcement agency.
- B. A district court judge may for good cause shown authorize the release of dental records of a missing person to a law enforcement agency.
- C. A dentist or physician who releases dental records to a person presenting a proper release executed or ordered pursuant to this section is immune from civil liability or criminal prosecution for the release of the dental records.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA) 104th Congress PUBLIC LAW 104-191 Code of Federal Regulations 45 Subpart C - Compliance and Enforcement

§164.512 Uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required.

45 CFR 164.512 (f) HIPAA Exception for Law Enforcement

(f) Standard: Disclosures for law enforcement purposes.

- (3) A covered entity may disclose protected health information in response to a law enforcement official's request for such information about an individual who is or is suspected to be a victim of a crime.

45 CFR 164.512 (g) HIPAA Exemption for Medical Examiners and Coroners

(g) Standard: Uses and disclosures about decedents.

- (1) Coroners and medical examiners. A covered entity may disclose protected health information to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law.