

IN THE SUPREME COURT OF THE STATE OF ARIZONA

---

In the Matter of: )  
 )  
SPECIAL ACCESS TO RECORDS AND ) Administrative Order  
INFORMATION CONCERNING DRUG ) No. 2008- 31  
COURT PARTICIPANTS )  
 )  
 )  
\_\_\_\_\_ )

Arizona is the recipient of an \$8.3 million Access to Recovery (ATR) Grant from the Substance Abuse and Mental Health Services Administration. The ATR Grant will be distributed over the course of three years by the Governor's Office for Children, Youth and Families - Division for Substance Abuse Policy and is designed to support the expansion and enhancement of methamphetamine treatment and recovery services through drug courts. Drug courts have been proven to help break the cycle of substance abuse, addiction and crime by quickly identifying substance abusing offenders and placing them under close court monitoring, coupled with effective, long-term treatment service. The Administrative Office of the Courts (AOC) and Pima Prevention Partnership (PPP) are subgrantees under the ATR Grant.

To implement the federal grant, AOC, the participating drug courts, the Governor's Office and PPP will use a web-based voucher system. This web-based voucher system will assist with oversight, monitoring compliance, program and data reporting requirements and payment to providers.

In order for PPP to perform its duties under the subgrantee agreement, the AOC and the participating drug courts will provide PPP information that is closed to the public under Rule 123, and that is confidential under State and federal statutes and regulations. PPP will use this information in furtherance of its subgrantee responsibilities to the State of Arizona, Office of the Governor. PPP will abide by all confidentiality clauses in the subgrantee agreement, this Administrative Order, and the information sharing agreement between the AOC and PPP.

Now, therefore, pursuant to the Supreme Court's administrative supervisory authority (Arizona Constitution, Article 6, § 3) and rule-making authority (Arizona Constitution, Art. 6 § 5) over all of the courts of the state,

IT IS ORDERED that PPP is authorized to receive the information concerning probationers that is required to comply with the ATR Grant and the subgrantee agreement with the Office of the Governor of the State of Arizona.

IT IS FURTHER ORDERED that as a condition of this release of information and as agreed

by the parties that all confidential information provided under this Administrative Order shall be maintained by PPP, the Office of the Governor, and any other entity which receives this information as confidential in strict compliance with all applicable confidentiality requirements including Rule 123, Rules of the Supreme Court, and the Administrative Simplification Requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPPA) set forth in Title 45, Parts 160 and 164 of the Code of Federal Regulations (CFR) as applicable and 42 U. S. C. § 290 dd-2 and accompanying Federal Regulations. PPP shall use the information only to perform its subgrantee obligations under the ATR Grant from the Substance Abuse and Mental Health Services Administration.

Dated this 3rd day of April, 2008.

---

RUTH V. MCGREGOR  
Chief Justice