



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
HEADQUARTERS, EIGHTH UNITED STATES ARMY  
UNIT#15236  
APO AP 96205-0009

11 DEC 2006

EACG

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Eighth United States Army Command Policy Letter # 23 - Incident Reporting Procedures for Medical Facilities to Area Provost Marshal Offices (PMO)

1. References.

- a. USFK Regulation 190-40, Serious Incident Reporting, dated 2 May 2006.
- b. AR 190-40, Serious Incident Report, dated 9 February 2006.
- c. USFK Regulation 190-50, Law Enforcement Procedures in Korea, dated 12 June 1998.
- d. AR 40-66, Medical Record Administration and Health Care Documentation, dated 21 June 2006.
- e. AR 600-20, Army Command Policy, dated 7 June 2006.
- f. DoD 6025.18-R, Health Information Privacy Regulation, dated 24 January 2003.
- g. Public Law 104-191, Health Insurance Portability and Accountability Act of 1996, dated 21 August 1996.
- h. Department of the Army Memorandum, Restricted Reporting Policy for Incidents of Domestic Abuse, 26 April 2006.

2. Purpose. To establish Eighth Army policy on the timelines, procedures and types of incidents that must be reported by military medical clinics and urgent care centers to the Area PMO.

3. Applicability. This policy applies to all 8<sup>th</sup> Army PMOs and medical clinics/urgent care centers within the Korean Theater of Operations (KTO).

4. Authority. The Law Enforcement Division, 8<sup>th</sup> Army Provost Marshal, is the Office of Primary Responsibility (OPR) for all law enforcement reports and reporting procedures in the KTO.

5. Policy. On-duty medical personnel or their designated representative at all military treatment facilities (MTFs) to include hospitals, Troop Medical Clinics and Battalion Aid Stations must report any incident appearing criminal or suspicious in nature, or other incidents identified as serious incidents reportable per AR 190-40 and USFK 190-40, to the nearest PMO in a prompt and timely manner.

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a. This policy applies to incidents involving military personnel and their family members, invited contractor personnel and their family members, technical representatives and their family members, KATUSA personnel, Korean National Employees acting within the scope of their duties, and members of their families when US facilities / equipment are involved.

b. At a minimum, the following incidents will be reported to the installation PMO:

(1) Deaths occurring on 8<sup>th</sup> Army installations, regardless of cause, deaths of SOFA personnel and service members off post.

(2) Injuries resulting from firearms, knives, or other weapons.

(3) Injuries caused by beatings and assaults.

(4) Injuries caused by any traffic or motor vehicle accidents.

(5) Suicidal actions of any kind (Doctors will provide a medical opinion as to the type of act: Attempted Suicide, Suicidal Ideation).

(6) Drug overdoses of any kind, whether over-the-counter or prescription medication.

(7) Sexual assaults.

(a) Cases involving service members who choose restricted reporting procedures will not be reported to law enforcement personnel IAW AR 600-20, Appendix H unless one or more of the exceptions to confidentiality identified in AR 600-20, Appendix H applies. As an additional restriction, protected health information may not be disclosed except as permitted in DoD 6025.18-R.

(b) Cases involving service members who choose unrestricted reporting procedures, contractors, family members of service members and contractors, and all personnel covered under the SOFA will be immediately reported to law enforcement personnel.

(8) Domestic violence incidents.

(a) Cases involving adult victims (to include service members, contractors, family members and civilians) who choose restricted reporting procedures will not be reported to law enforcement personnel IAW DA Memorandum, Restricted Reporting Policy for Incidents of Domestic Abuse, 26 April 2006, unless one or more of the exceptions to confidentiality identified in DA Memorandum, Restricted Reporting Policy for Incidents of Domestic Abuse, 26 April 2006 applies. As an additional

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restriction, protected health information may not be disclosed except as permitted in DoD 6025.18-R.

(b) Cases involving adult victims who choose unrestricted reporting procedures will be immediately reported to law enforcement personnel.

(9) Incidents involving child abuse or neglect. Protected health information may not be disclosed except as permitted in DoD 6025.18-R.

(10) This list is not all inclusive. It is expected that common sense will play a role in determining what incidents are to be reported; e.g., reasonable suspicion or knowledge that the injury is the result of a crime or illegal act. If there is doubt whether an incident should be reported the medical personnel should call the PMO or SJA and ask.

c. Confidentiality of protected health information for all personnel will be maintained IAW DoD 6025.18-R, regardless of whether individuals elect restricted or unrestricted reporting (when applicable).

d. Reportable incidents are to be reported to law enforcement personnel as soon as medical procedures (life saving measures) permit.

(1) Medical personnel will contact their respective installation Provost Marshal Office and notify them that an incident has occurred.

(2) PMO will dispatch an investigator to the medical facility to gather appropriate information on the victim (name, unit, SSN, etc.) and/or to initiate an investigation.

6. This policy is effective immediately and remains in effect until rescinded or renewed.

7. The POC for this memorandum is the Chief, Law Enforcement Division at DSN 738-6389.

  
DAVID P. VALCOURT  
Lieutenant General, USA  
Commanding

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Procedures for Medical Facilities to Area Provost Marshal Offices (PMO)

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