

**78B-3-502 Limitation of therapist's duty to warn.**

- (1) A therapist has no duty to warn or take precautions to provide protection from any violent behavior of his client or patient, except when that client or patient communicated to the therapist an actual threat of physical violence against a clearly identified or reasonably identifiable victim. That duty shall be discharged if the therapist makes reasonable efforts to communicate the threat to the victim, and notifies a law enforcement officer or agency of the threat.
- (2) An action may not be brought against a therapist for breach of trust or privilege, or for disclosure of confidential information, based on a therapist's communication of information to a third party in an effort to discharge his duty in accordance with Subsection (1).
- (3) This section does not limit or effect a therapist's duty to report child abuse or neglect in accordance with Section 62A-4a-403.

Amended by Chapter 146, 2009 General Session