

~~(c) -- If a patient is incompetent to assert or waive this privilege, a guardian shall be appointed and shall act for the patient. A previously appointed guardian has the same authority.~~

~~(d) -- There is no privilege if:~~

~~(1) -- A disclosure is necessary for the purposes of placing the patient in a facility for mental illness;~~

~~(2) -- A judge finds that the patient, after being informed there will be no privilege, makes communications in the course of an examination ordered by the court and the issue at trial involves his mental or emotional disorder;~~

~~(3) -- In a civil or criminal proceeding:~~

~~(i) -- The patient introduces his mental condition as an element of his claim or defense, or~~

~~(ii) -- After the patient's death, his mental condition is introduced by any party claiming or defending through or as a beneficiary of the patient;~~

~~(4) -- The patient, an authorized representative of the patient, or the personal representative of the patient makes a claim against the psychiatrist, or licensed psychologist, or LICENSED CERTIFIED SOCIAL WORKER for malpractice;~~

~~(5) -- Related to civil or criminal proceedings under defective delinquency proceedings, or~~

~~(6) -- The patient expressly consents to waive the privilege, or in the case of death or disability, his personal or authorized representative waives the privilege for purpose of making claim or bringing suit on a policy of insurance on life, health, or physical condition.~~

(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CLIENT" MEANS A PERSON WHO COMMUNICATES TO OR RECEIVES SERVICES FROM A LICENSED CERTIFIED SOCIAL WORKER REGARDING HIS MENTAL OR EMOTIONAL CONDITION, OR FROM ANY OTHER PERSON PARTICIPATING DIRECTLY OR VITALLY WITH A LICENSED CERTIFIED SOCIAL WORKER IN RENDERING THOSE SERVICES, IN CONSULTATION WITH OR UNDER DIRECT SUPERVISION OF A LICENSED CERTIFIED SOCIAL WORKER.

(3) "LICENSED, CERTIFIED SOCIAL WORKER" MEANS ANY PERSON LICENSED AS A CERTIFIED SOCIAL WORKER UNDER TITLE 18 OF THE HEALTH OCCUPATIONS ARTICLE.