

## Guidance: Faxing Patient Information

### **Faxing Patient Information**

Each fax should be accompanied by a fax cover sheet. Patient protected health information (PHI) can be faxed to an individual when the information is needed quickly and when there is a legitimate need to know such as:

- for an emergent patient care encounter,
- for arranging services with another provider (i.e. continuity of care),
- for a referring physician,
- for mandated reporting requirements, or
- for approval of services or to facilitate payment

You should limit the amount of information being faxed to the minimum amount necessary. The minimum necessary standard is a key protection under the HIPAA regulation, and states we must only access, view, use or disclose the smallest or minimum amount of PHI necessary to accomplish the intended purpose

Faxing of highly confidential information is **not** recommended. Faxing of highly confidential information is only permitted if the sender first calls the recipient and confirms that the recipient or his/her designee can be waiting at the fax machine to receive the fax; the recipient or his/her designee must wait at the fax machine to receive the fax and then the sender or recipient must call one or the other to confirm receipt of the document(s). Both the sender and the recipient must be attentive to the sensitive nature of highly confidential information.

In general, fax confirmation sheets should always be checked as soon as possible after the fax has been transmitted, to confirm the material was faxed to the intended fax number. You should double check manually-entered fax numbers before pressing send, and check pre-programmed fax numbers regularly to ensure they remain correct. PHI and other sensitive information should be removed from the fax machine in a timely manner.

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If you fax information with PHI to an unintended recipient:

- Notify your supervisor and the Privacy Program as soon as possible.
- If the recipient is another health care entity, ask that the documents be destroyed in accordance with the HIPAA regulation.
- If the recipient is not a health care entity, contact the Privacy Program to investigate the incident and assist in obtaining the paperwork back.
- Verify the fax number with the recipient before attempting to fax the information again.

**Any questions/comments/concerns please feel free to reach out to  
the Privacy Program at:**

**773-834-9716 or [hpo@bsd.uchicago.edu](mailto:hpo@bsd.uchicago.edu)**