

## Guidance: Use and Disclosure of PHI in Telephone or Voice Messages and Mail

### **Use and Disclosure of PHI in Telephone or Voice Messages and Mail**

The HIPAA Privacy Rule permits UCM to communicate with patients regarding their health care. This includes communicating with patients at their homes, whether through the mail, by phone, or in some other manner. Additionally, the Privacy Rule does not prohibit UCM employees from leaving messages for patients on their answering machines or with individuals who may answer the phone (e.g. the patient's family member). However, we must take care to reasonably safeguard the individual's privacy and limit the amount of information disclosed on voice messages or shared with the individual who answers the phone when the patient is not home.

Employees should use professional judgment to assure that disclosures related to the patient's appointment are provided in the best interest of the patient and should limit the information disclosed to the minimum 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.

Always verify the identity of the person with whom you are speaking to ensure the person you are talking to is the patient or someone who is entitled to the information before disclosing patient information. Ask the person to provide information about the patient such as the patient's birth date and home address.

If the person you are speaking with asks you for additional information regarding the patient's condition or the purpose of the visit, do not provide them with that information unless you have a documented authorization pertaining to that information from the patient to release information to that person specifically.

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For all clinics **except** Outpatient Psychiatry, Infectious Disease, Genetic Testing, Oncology, and Ob-Gyn, you may leave the following information on a patient's voicemail: Patient's First Name, Appointment Date and Time, Physician's Last Name, The University of Chicago Medicine and Location (e.g DCAM 4D), Callback Number. **DO NOT LEAVE THE CLINIC NAME ON THE VOICEMAIL.** Be especially careful not to leave a message in a manner that may allow someone else to learn private information about someone else. In particular, do not leave the patient's full or partial medical record number as a unique identifier for the patient to use when returning your call.

An example message is as follows: "Hello. This is Dr. Smith's office at the University of Chicago Medicine calling for Bob. We want to remind you of your appointment in the Center of Advanced Medicine, 4D, located at 5758 South Maryland Avenue, Chicago, Illinois 60637 at 10am on Tuesday, September 9th. Please call us at (telephone number) to confirm. If you are unable to keep this appointment, please call within 24 hours of your scheduled date and time to avoid a no show fee. If you have any questions or wish to cancel your appointment please call (telephone number). Thank you."

Please do not leave specific information such as lab results, name of medication, and type of test on a patient's voicemail or with an individual taking the message on the patient's behalf. If you need to provide additional information, advise the patient in the message you have additional information for them and how to obtain it (i.e.: you will mail it, they can call back during specific hours, etc). In cases where you need to discuss information with the patient before an appointment (pre-operative instructions), please call 48-72 hours before the scheduled appointment to be sure you touch bases with the patient directly.

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You should never leave Highly Confidential Information (mental illness or developmental disability, HIV/AIDS, communicable/venereal diseases, substance (e.g. alcohol or drug) use, abuse of an adult with a disability, sexual assault, child abuse and neglect, or genetic testing on a patient's voicemail.

Outpatient Psychiatry, Infectious Disease, Genetic Testing, Oncology, and Ob-Gyn Clinics are considered highly confidential and require additional safeguards for protecting patient privacy. While you can still communicate with patients about their appointments via the telephone or use an automated phone tree, you should never leave a less specific voicemail or other message. For example, "We are calling to remind a member of this household of their appointment at UCM on \_\_\_\_\_. Please call \_\_\_\_\_ for details."

You can communicate with patients about their appointments in writing such as letters. Postcards displaying appointment information should NOT be used. If postcards are used, please insert the postcard in a separate envelope and mail it to the patient. Alternatively, a letter can be sent containing the following information: Patient's Full Name, The Physician's Last Name, Appointment Date and Time, Appointment Location, and Callback Number. Do not include the Clinic Name in the "return address" section of the mailing envelope. This way individuals picking up the mail will not immediately know the name of the clinic sending the information. The "return address" should only contain the following information: The University of Chicago Medicine, Mail Code Number, and Address (Street, City, Zip Code).

**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)**