The HIPAA Privacy Rule requires a patient's written authorization to use or disclose protected health information (PHI), with some exceptions including treatment, payment, and health care operations. (See Administrative Policies 05-14, 05-19, 05-21 for more detail.) In addition, certain state laws require the patient’s written consent prior to disclosure of certain types of highly confidential information (HCI), including mental health, HIV/AIDS, and genetic testing information.

In order to minimize confusion surrounding the use by or disclosure to UCMC staff and faculty, use this guidance when UCMC staff and/or faculty are requesting PHI or need to share PHI within UCMC. If an exception is not listed below, obtain an authorization prior to the release.

<table>
<thead>
<tr>
<th>#</th>
<th>Purpose</th>
<th>Requirements</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Treatment Provided by UCMC to the Patient</td>
<td>• No paperwork required&lt;br&gt;• Only provide to individuals who have a need to know.</td>
<td>The provision, coordination, or management of health care and related services for that patient.</td>
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<tr>
<td>2.</td>
<td>Treatment Provided by Others to the Patient</td>
<td>• No paperwork required except for HCI—for HCI, a written consent is required.&lt;br&gt;• Only provide to individuals who have a need to know.</td>
<td>The provision, coordination, or management of health care and related services for that patient by a third party, such as a skilled care facility, home health agency, or referral or transfer facility.</td>
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<tr>
<td>3.</td>
<td>Securing Payment for UCMC Services</td>
<td>• No paperwork required.&lt;br&gt;• Only provide to individuals who have a need to know.&lt;br&gt;• We must honor patient requests to withhold PHI, with an explanation that the patient may have benefits denied.</td>
<td>The activities to obtain reimbursement for the provision of health care provided by UCMC.</td>
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<td>4.</td>
<td>Healthcare Operations</td>
<td>• Complete “Trusted Requestor Form” and fax to the HIPAA Program Office (HPO) at 2-6278 for review.&lt;br&gt;• No authorization needed.&lt;br&gt;• Only provide to individuals who have a need to know.</td>
<td>• Morbidity and Mortality Conferences&lt;br&gt;• Physician Conferences&lt;br&gt;• Quality Assurance Initiatives&lt;br&gt;• Audits (billing, internal audits, dept.)&lt;br&gt;• Departmental Operations</td>
</tr>
<tr>
<td>5.</td>
<td>Research</td>
<td>• Need IRB Approval Letter.&lt;br&gt;• Complete “Trusted Requestor Form” and fax both letter and form to the HPO at 2-6278 for review/approval.</td>
<td>• Approved protocols, in preparation for research, or any other patient data review, other than those listed in item 6.&lt;br&gt;  o Complete the preparatory for research web form on the IRB website and submit a Trusted Requestor Form to HPO.</td>
</tr>
</tbody>
</table>
# Purpose | Requirements | Examples
---|---|---
6. Non-research Data Review | • Complete “Trusted Requestor Form” and fax both to the HPO for review at 2-6278. | • Only:  
  o using de-identified data  
  o data review for healthcare operations purposes.  
  • Otherwise, use the research category.  
7. Used in Publications, Marketing, Media, and other Public Media or Venues | • Must obtain patient written authorization.  
  • Refer to Use of PHI in Publications Guidance for more information. | • Medical Articles  
  • Annual Reports  
  • Newsletters  
  • Event & Presentation Posters  
  • Written Case Studies  
  • Patient acknowledgements  
  • Patient reunions  
  • News reports  
8. Education of Medical Center Students (Within UCMC and BSD Campus) | • No paperwork required.  
  • The amount of PHI used must be the minimum amount necessary to conduct the training and de-identified as much as possible.  
  • PHI can’t be shared outside UCMC. | • Resident/Student Instruction, including nursing, pharmacy, etc. students on site from other institutions.  
  • Grand Rounds  
    o Refer to Use of PHI in Education Guidance for more information on using PHI.  
9. Fundraising | • Must obtain patient written authorization before using PHI or HCI for fundraising purposes.  
  • Physicians/Clinics can’t initiate fundraising towards patients based on diagnosis or the fact they are clinic patients.  
  • However, UCMC personnel may provide Medical Center Development (MCD) or a not-for-profit charitable foundation (which is affiliated with UCMC) and has been formed, at least in part, for the purpose of supporting UCMC a patient name, address, phone number and dates of service to use for fundraising purposes as long as the patient has not opt-out of receiving materials. | • Department/Physician initiated fundraising projects:  
  o Supporting marathoners/awareness walks and/or runs  
  o Special Events/Causes  
  o Physician Recruitment Funds  
  o Research Funding  
  • MCD - Grateful Patients  
  • MCD - Forefront Fund  
  • GIRF (Relationship with UCMC GI Department)
### Purpose

10. Visiting Faculty

- Should not be given PHI without a patient written authorization.

11. On Site Vendors or Independent Contractors Working on UCMC’s Behalf

- No paperwork from the patient or the HIPAA office required.
- Vendor or independent contract must be subject to written confidentiality requirements and attend HIPAA training.

### Examples

- Case Study
- Publication/Article
- Shadowing rounds or procedures
- Contractors with expertise working in departments to supplement the work force or provide services, such as our auditors, coding consultants, and IT consultants.

**NOTE** – If an employee wants a patient’s hard copy medical record, he/she should go to HIM (Medical Records) and complete the HIM Trusted Requestor Form.