

**RELEASING PROTECTED HEALTH INFORMATION (PHI)
 TO UCMC STAFF AND/OR FACULTY MEMBERS**

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.

#	Purpose	Requirements	Examples
1.	Treatment Provided by UCMC to the Patient	<ul style="list-style-type: none"> No paperwork required Only provide to individuals who have a need to know. 	The provision, coordination, or management of health care and related services for that patient.
2.	Treatment Provided by Others to the Patient	<ul style="list-style-type: none"> No paperwork required except for HCI—for HCI, a written consent is required. Only provide to individuals who have a need to know. 	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.
3.	Securing Payment for UCMC Services	<ul style="list-style-type: none"> No paperwork required. Only provide to individuals who have a need to know. We must honor patient requests to withhold PHI, with an explanation that the patient may have benefits denied. 	The activities to obtain reimbursement for the provision of health care provided by UCMC.
4.	Healthcare Operations	<ul style="list-style-type: none"> Complete "Trusted Requestor Form" and fax to the HIPAA Program Office (HPO) at 2-6278 for review. No authorization needed. Only provide to individuals who have a need to know. 	<ul style="list-style-type: none"> Morbidity and Mortality Conferences Physician Conferences Quality Assurance Initiatives Audits (billing, internal audits, dept.) Departmental Operations
5.	Research	<ul style="list-style-type: none"> Need IRB Approval Letter. Complete "Trusted Requestor Form" and fax both letter and form to the HPO at 2-6278 for review/approval. 	<ul style="list-style-type: none"> Approved protocols, in preparation for research, or any other patient data review, other than those listed in item 6. <ul style="list-style-type: none"> Complete the preparatory for research web form on the IRB website and submit a Trusted Requestor Form to HPO.

GUIDANCE

September 1, 2009

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6.	Non-research Data Review	<ul style="list-style-type: none"> Complete "Trusted Requestor Form" and fax both to the HPO for review at 2-6278. 	<ul style="list-style-type: none"> Only: <ul style="list-style-type: none"> using de-identified data data review for healthcare operations purposes. Otherwise, use the research category.
7.	Used in Publications, Marketing, Media, and other Public Media or Venues	<ul style="list-style-type: none"> Must obtain patient written authorization. Refer to Use of PHI in Publications Guidance for more information. 	<ul style="list-style-type: none"> Medical Articles Annual Reports Newsletters Event & Presentation Posters Written Case Studies Patient acknowledgements Patient reunions News reports
8.	Education of Medical Center Students (<i>Within UCMC and BSD Campus</i>)	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Resident/Student Instruction, including nursing, pharmacy, etc. students on site from other institutions. Grand Rounds <ul style="list-style-type: none"> Refer to Use of PHI in Education Guidance for more information on using PHI.
9.	Fundraising	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Department/Physician initiated fundraising projects: <ul style="list-style-type: none"> Supporting marathoners/awareness walks and/or runs Special Events/Causes Physician Recruitment Funds Research Funding MCD - Grateful Patients MCD - Forefront Fund GIRF (Relationship with UCMC GI Department)

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10.	Visiting Faculty	<ul style="list-style-type: none"> Should not be given PHI without a patient written authorization. 	<ul style="list-style-type: none"> Case Study Publication/Article Shadowing rounds or procedures
11.	On Site Vendors or Independent Contractors Working on UCMC's Behalf	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> 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.