



<p>Pennsylvania Hospital & Surgery Center</p> <p>ADMINISTRATIVE POLICY MANUAL</p>	<p>Page 1</p> <p>Effective: 0408</p>
<p>SUBJECT: DISCLOSURE OF PROTECTED HEALTH INFORMATION TO FAMILY AND FRIENDS</p> <p>POLICY NUMBER: HIP10</p>	

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Related Policies:

POLICY

For purposes of this policy, Pennsylvania Hospital includes all off campus licensed facilities, including but not limited to the Surgery Center of Pennsylvania Hospital.

It is the policy of Pennsylvania Hospital that protected health information (PHI) will be used and disclosed in a manner that respects a patient's right to privacy, and is in accordance with HIPAA privacy regulations and applicable law.

PURPOSE

It is the purpose of this policy to address the proper procedure for disclosing PHI to a patient's family and friends who may be involved in the care of the patient or payment related to the provision of care for the patient.

SCOPE

This policy is applicable to all members of Pennsylvania Hospital's workforce.

IMPLEMENTATION

This policy will be implemented by all members of Pennsylvania Hospital's workforce.

DEFINITIONS

Protected health information (PHI) is information that is created or received by UPHS and the School of Medicine; and relates to the past, present, or future physical or mental health or condition of a patient; the provision of health care to a patient; or the past, present, or future payment for the provision of health care to a patient; and that identifies the patient or for which there is a reasonable basis to believe the information can be used to identify the patient. PHI includes information of persons living or deceased. The following components of a patient's information also are considered PHI: a) names; b) street address, city, county, precinct, zip code; c) dates directly related to a patient, including birth date, admission date, discharge date, and date of death; d) telephone numbers, fax numbers, and electronic mail addresses; e) Social Security numbers; f) medical record numbers; g) health plan beneficiary numbers; h) account numbers; i) certificate/license numbers; j) vehicle identifiers and serial numbers, including license plate numbers; k) device identifiers and serial numbers; l) Web Universal Resource Locators (URLs); m) biometric identifiers, including finger and voice prints; n) full face photographic images and any comparable images; and o) any other unique identifying number, characteristic, or code.

Use means, with respect to individually identifiable health information, the sharing, employment, application, utilization, examination, or analysis of such information within UPHS and the School of Medicine.

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Disclosure means the release, transfer, provisions of access to, divulging in any other manner of information outside UPHS and the School of Medicine.

PROCEDURE

1. Pennsylvania Hospital may be asked to share or need to share certain PHI with the patient's family or friends or others involved with the care of or payment for the care of the patient during the course of the patient's treatment at Pennsylvania Hospital. Such persons involved in care and other contact persons might include family members, other relatives, spouses, roommates, boyfriends and girlfriends, domestic partners, neighbors, and colleagues. This is a list of examples--other types of relationships not specifically mentioned may be included.
2. Pennsylvania Hospital may disclose PHI to a family member, other relative, close personal friend of a patient, or any other person identified by the patient, if such PHI is directly relevant to such person's involvement with the patient's care or payment related to the patient's healthcare, as outlined below.
3. Pennsylvania Hospital may use or disclose PHI to notify, or assist in the notification of (including identifying or locating) a family member, a personal representative of the patient, or another person responsible for the care of the patient the patient's location, general condition, or death, as outlined below.
4. Uses and disclosures with the patient present
 - a) If the patient is present, or otherwise available prior to, a disclosure of information, and is capable of making decisions, Pennsylvania Hospital may use or disclose the PHI if Pennsylvania Hospital:
 - i. Obtains the patient's agreement; or
 - ii. Provides the patient with the opportunity to object to the disclosure; or
 - iii. Reasonably infers from the circumstances, based on the exercise of professional judgment that the patient does not object to the disclosure (such as when a patient asks to have their spouse or a friend present in the examination room).
 - b) Any objections by the patient should be documented in the medical record
5. Limited uses and disclosures when the patient is not present

If the patient is not present, or the opportunity to agree or object to a use or disclosure is impractical due to the patient's incapacity or emergency circumstance, Pennsylvania Hospital may, in the exercise of professional judgment, determine whether the disclosure is in the best interests of the patient and, if so, disclose only the PHI that is directly relevant to the person's involvement with the patient's health care or payment for health care services. Pennsylvania

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Hospital may use professional judgment and experience with common practice to make reasonable inferences of the patient's best interest in allowing a person to act on a patient's behalf to pick up prescriptions, medical supplies, X-rays, or other similar forms of PHI.

7. Scope of Disclosure

Merely because the patient allowed Pennsylvania Hospital to disclose information to a particular person in the past, does not imply agreement to disclose PHI to that same person indefinitely in the future. Personnel involved in disclosing PHI pursuant to this policy should exercise professional judgment in determining the scope of the person's involvement in the patient's care or payment and the time period for which the patient is agreeing to the other person's involvement.

/s/Kathleen Kinslow
 Kathleen Kinslow, CRNA, EdD, MBA
 Executive Director

05/05/08
 Date

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