



PLEASE NOTE: This information is created to serve as a guideline for routine questions. These suggested guidelines DO NOT APPLY TO PROTECTED HEALTH INFORMATION such as mental health, chemical dependency and sexual reproduction/STD's. Please contact the Privacy Office for guidelines to ensure compliance with State and Federal regulations specific to protected health information.

Frequently Asked Questions

Appointments

Appointment Making by Other Than the Patient

There are many circumstances that make arranging appointments by someone other than the patient a daily occurrence. Examples include a spouse calling for a hard of hearing spouse, a parent calling for a minor, or a guardian calling for a developmentally disabled patient.

Appointments arranged by someone other than the patient are not a violation of HIPAA privacy rules. However, the discussion may not include confidential information given out by Group Health staff. For example, it would be inappropriate to provide information in response to "By the way, I cannot remember my wife's social security number. Can you remind me?"

Appointment Reminders

Appointment information should be given only to the patient or to an individual known to be involved in the patient's care, such as the spouse or adult child of an incapacitated individual. An individual who serves in that capacity should be documented in the Problem List of the patient's medical record.

When a situation requires leaving a message on an answering machine or voicemail, the best practice is to leave only the following information:

- a) The patient you are calling,
- b) Your name,
- c) That you are from Group Health,
- d) That you are calling with an appointment reminder, and
- e) The phone number to call if the patient has questions.

In this manner, the patient gets a reminder without the possibility that another individual will have access to confidential information such as the time, date, location, or practitioner involved for a healthcare appointment.

Disclosing Health Information to Individuals Involved in Care

HIPAA allows for the disclosure of health information to individuals involved in the patient's care, such as a spouse, family members, friends, and caregivers. These individuals might, for example, be accompanying the patient to appointments, providing care at home, calling to follow up on treatment or get answers to questions.

However, there are restrictions on this kind of disclosure. The law provides the patient with the opportunity to control the situation when possible.

A Person Involved in Care or Payment

With some restrictions, Group Health may disclose health information directly relevant to the individual's care to a member of the patient's family, a relative, a close friend, or any other person identified by the individual, directly involved in the care.

If the Patient is Present and Capable

If the patient is present for or otherwise available prior to a use or disclosure to an involved person, and has the capacity to make health care decisions, Group Health may use or disclose information only if:

- a) It obtains the individual's agreement,
- b) Provides the individual with the opportunity to object to the disclosure and the individual does not object, or
- c) Able to reasonably infer from circumstances that the individual does not object.

When the Patient is not Present or is Incapacitated

If a patient is not present or cannot agree or object due to incapacity or emergency circumstances, Group Health may disclose information if:

- a) In the exercise of professional judgment, it determines that the disclosure is in the individual's best interest, and
- b) Discloses only the health information directly relevant to the recipient's involvement in the member/patient's care.

Documenting Individuals Involved in Care

Practitioners should document in the Problem List individuals involved in the patient's care, identified by the patient if possible. Often patients and their caregivers are well known to the practice team but documentation will support other Group Health staff when they must decide the appropriateness of disclosure.

Overhead Paging

Overhead paging is a convenient way to keep appointments and other aspects of healthcare on schedule. However, there is the possibility that patients' privacy could be compromised.

It is not a violation of patient privacy to page an individual by name only. Calling the patient to a pharmacy line, or to the practice team reception desk is appropriate. Connecting a patient name to any information that can be associated with specific healthcare would be a violation. Paging the individual to a specific clinic is a violation. For example, "Patient Jan Doe, please return to Cardiology." The alternative is to page the patient to the operator, as follows, "Patient Jan Doe, please call the medical center operator." This practice makes use of the paging system's efficiency without sacrificing the patient's privacy.

Faxing Healthcare Information

Disclosure of health information via fax machine is permitted as follows:

- between Group Health providers, Group Health contracted providers and non- Group Health providers as necessary to support patient diagnosis, prognosis and treatment,
- between Group Health facilities, business or operations units, and business associates to support care and operations, and
- to third-party payers as required for certification of a hospitalization. The sender

The policy, procedures and other guidelines for disclosure of health information via fax are available on InContext. Procedure for disclosing health information is as follows:

- Use a Group Health fax cover sheet with approved confidentiality statement (available on InContext.)
- Limit the information being faxed to the minimum information necessary to serve the purpose except when sending to support treatment of the patient.
- Establish that the receiving fax machine is secure or attended at the time of transmission.
- Verify the fax number before sending documents. Use a pre-programmed fax number to send faxes when feasible. Law requires those pre-programmed numbers be reconfirmed periodically for accuracy.
- If a Group Health fax machine has a CDS number, use it. If misdialed, a Group Health staff member bound by the Confidentiality and Security Agreement will still receive the fax.
- Log all fax transmissions in the record, including the fax number, recipient, date and time, and specific material sent.

Pick up and distribute faxes from the fax machine as soon as possible after receipt. Unauthorized individuals should deposit them in a secure location rather than an inbox accessible.

The Group Health approved confidentiality statement for facsimile cover sheets is as follows:

The documents accompanying this facsimile transmission may contain confidential information, belonging to the sender, that is protected by Washington state and/or federal law. This information is solely for the use of the addressee named above. You may be exposed to legal liability if you disclose this information to another person.

If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or other use of the contents of this faxed information is strictly prohibited. If you have received this facsimile in error, please notify the sender immediately by telephone and confidentially dispose of the material.

Forms Completion

If a patient brings in a form to be completed and then mailed, the patient must also fill out a release of authorization form. If the patient brings in a form and is present when the provider completes the form, the provider does not need the patient to complete a release of. However, a copy of the completed form needs to be made and sent to medical records to be filed with a notation on the form that the patient was given back the form.