

Privacy - MODEL Facility Policy

POLICY NAME: Uses and Disclosures of Patient Health Information to Other Covered Entities and Health Care Providers Under the HIPAA Privacy Standards

DATE: (facility to insert date here)

NUMBER: (facility to insert number here)

Purpose: To facilitate compliance with the Health Insurance Portability and Accountability Act (HIPAA), Standards for Privacy of Individually Identifiable Health Information (Privacy Standards), 45 CFR Parts 160 and 164, and all Federal regulations and interpretive guidelines promulgated thereunder. To establish guidelines for sharing information for treatment, payment, and specified health care operations to other covered entities and health care providers.

Policy: Protected health information (PHI) may be disclosed to other covered entities and health care providers for purposes of their treatment, payment, or specified health care operations without the patient's HIPAA compliant authorization only as outlined in this policy.

Most states have separate patient privacy laws that may apply additional legal requirements. Consult your Operations Counsel to identify and comply with any such additional legal mandates.

Procedure: PHI may be disclosed to other covered entities or health care providers for treatment, payment, or health care operations without the patient's HIPAA compliant authorization **only** as set forth below:

1. PHI may be disclosed **for treatment activities** of a health care provider.
2. PHI may be disclosed to another covered entity or a health care provider **for the payment activities** of the entity that receives the information.
3. PHI may be disclosed to another covered entity **for limited health care operations activities** of the covered entity that receives the information, if each entity either has or had a relationship with the individual who is the subject of the PHI being requested, the PHI pertains to such relationship, and the disclosure is:
 - a. For limited health care operations, which includes:
 - (1) Conducting quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, provided that the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment;
 - (2) Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance, health plan performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training

of non-health care professionals, accreditation, certification, licensing, or credentialing activities; or

- b. For the purpose of health care fraud and abuse detection or compliance.

PHI may be disclosed to other members of the organized healthcare arrangement (OHCA) of which the facility is a member for any health care operations activities of the OHCA.

References:

Patient Privacy Program Requirements Policy, IP.PRI.001

Health Insurance Portability and Accountability Act (HIPAA), Standards for Privacy of Individually Identifiable Health Information 45 CFR Part 164