

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 11	Patient Privacy Policies	Effective:	April 2003
Section 11.1	General Oversight Policies	Revised:	May 2007
Policy 11.1.6	Confidentiality of Patient Health Information	Responsibility:	Assistant Vice President for Regulatory Affairs & Compliance

CONFIDENTIALITY OF PATIENT HEALTH INFORMATION

Policy

The Health Science Center strives to maintain the highest level of confidentiality of all patient health information. All patient information is strictly confidential and can be shared only with those who have a “need to know” according to their job duties and responsibilities.

If an employee is working at an affiliated organization, that organization’s privacy regulations may also apply.

Definitions

CONFIDENTIAL PATIENT HEALTH INFORMATION: Verbal, written, pictorial images, or electronic information that includes information generated by the Health Science Center or information received from other health care providers, that identifies the individual patient, includes medical, diagnostic, treatment, and prognosis information on the patient, including data related to research studies.

Education and Training

The Health Science Center requires all new employees, faculty, students, or residents to attend an orientation regarding the Health Science Center’s expectations regarding confidentiality and privacy of health information, and they will receive a copy of the “Institutional Compliance Program and Standards of Conduct” booklet which describes the Health Science Center’s stance on confidentiality and on disciplinary measures for noncompliance. Each new employee, faculty, student, or resident who will be exposed to patient health information during his/her tenure at the Health Science Center is required to attend additional, in-depth privacy education and is required to sign a [Confidentiality/Security Acknowledgement](#) statement. Non-employees exposed to protected health information as part of their responsibilities will also be required to attend training. See [Section 4.3.8](#) of the *Handbook of Operating Procedures* (HOP), “Non-Employee Service” for the definition of non-employees.

Data Collection

The types and amounts of information gathered and recorded about a patient are limited to information needed to provide and facilitate patient care. Supplementary data which is not required for patient care but is

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desirable for education, etc., may be recorded with the permission of the patient, following an explanation of the purpose for which the information is requested.

The collection of any data relative to a patient, whether by interview, observation, or review of documents, is conducted in a setting which provides maximum privacy and protects the information from unauthorized individuals.

No information contained in the patient's record will be given, transferred, or in any way relayed to any person or entity not involved in treatment, payment, or healthcare operations or without the patient's authorization. Policies addressing exceptions for allowable disclosure of patient healthcare information without the patient's authorization are located in [Section 11.2.1](#) of the HOP, "Use and Disclosure of Protected Health Information Without Authorization".

Access

Access to confidential information is limited to persons with a legitimate "need to know" to perform their jobs within the Health Science Center. Areas in which confidential information is stored and/or exchanged verbally are limited to authorized staff. Information about the patient which may or may not be recorded in the patient's record should be treated with the same level of confidentiality as the health record. Such discussions should be conducted only in areas where unauthorized individuals will not overhear. Employees, faculty, students, and residents whose positions and duties do not require them to view patient information are restricted from seeking access to these records, whether paper or electronic. See "Patient Health Records" in [Section 11.1.5](#) of the HOP.

Designated staff are responsible for responding to requests for uses and disclosures of health information according to federal and state law and Health Science Center policies. See [Section 11.2](#) of the HOP.

For incidental disclosures, see [Section 11.2.4](#) of the HOP, "For Treatment, Payment, and Healthcare Operations".

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Security, Safeguards, and Storage

All health records, including the legal medical record, components of the designated record set, and any existing case management (shadow) files, should be stored in physically secure areas. See “Patient Health Records” in [Section 11.1.5](#) of the HOP.

The Health Science Center ensures that appropriate administrative, technical, and physical safeguards are in place to protect the privacy of protected health information from intentional or unintentional unauthorized use or disclosure.

Research

All research protocols are reviewed and approved by the Health Science Center’s Institutional Review Board (IRB) and address confidentiality of individuals involved in the research study and the health information of such individuals. Health Science Center employees, faculty, students, or residents involved in research activities must strictly adhere to such confidentiality requirements. Health information used in research studies is held to the same level of confidentiality and privacy as all health information used, disclosed, or stored within the Health Science Center.

De-identification of Protected Health Information

When de-identifying protected health information such as for research studies, only authorized individuals have access to code lists or any device that links de-identified information to specific individuals or patients. When de-identifying protected health information, the policy of “De-identification of Protected Health Information” in [Section 11.2.9](#) of the HOP should be followed unless otherwise directed by the IRB. Caution also must be taken when re-identifying protected health information, using methods approved by IRB protocol.

Telephones

All employees are accountable for using extreme caution in discussing confidential patient information over the telephone. Information may be released for treatment, payment, and healthcare operations, if the employee disclosing the information is certain of the identity of the person and/or entity to whom he/she is releasing the information and the purpose of the release. If the employee is uncertain as to the identity of the person to whom he/she is speaking, the employee should

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terminate the call and return the call with the requested information and/or confer with a supervisor. The employee may release confidential information over the telephone in an emergency situation; however, he/she should take every precaution to ensure appropriate disclosure.
