

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 11	Patient Privacy Policies	Effective:	April 2003
Section 11.2	Uses and Disclosures of Protected Health Information	Revised:	February 2006
Policy 11.2.5	Minimum Necessary Requirements for Uses and Disclosures of Protected Health Information	Responsibility:	Assistant Vice President for Regulatory Affairs & Compliance

MINIMUM NECESSARY REQUIREMENTS FOR USES AND DISCLOSURES OF PROTECTED HEALTH INFORMATION

Policy

The Health Science Center will make reasonable efforts to limit protected health information to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request.

Internal Uses and Disclosures

To ensure compliance with the minimum necessary requirements of federal privacy regulations, each department should identify the persons or classes of persons, as appropriate, in its workforce who need access to protected health information to carry out its duties. For each such person or classes of persons, the Health Science Center should identify the category(s) of protected health information to which access is needed and any conditions appropriate to such access.

The Health Science Center should make reasonable efforts to limit the access of such persons or classes of persons identified above to the types and amount of health information required to do their jobs.

Requests for Protected Health Information

When Health Science Center employees or faculty request protected health information, they must:

1. Limit any request for protected health information to that which is reasonably necessary to accomplish the purpose for which the request is made. The limitation includes information from other covered entities and health care providers.
 2. Abide by institutional protocols that limit the protected health information requested to the amount reasonably necessary to accomplish the purpose for which the request is made.
 3. For all other requests, the Health Science Center must abide by institutional criteria designed to limit the request for protected health information to the information reasonably necessary to accomplish the purpose for which the request is made and
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review such requests for disclosure on an individual basis in accordance with such criteria.

Health Science Center employees or faculty must not request an entire medical record, except when the entire medical record is specifically justified as the amount that is reasonably necessary to accomplish the purpose of the request.

Routine Disclosures

For any type of disclosure made on a routine and recurring basis, employees and faculty should follow the Health Science Center protocols that limit the protected health information disclosed to the amount reasonably necessary to achieve the purpose of the disclosure. If employees or faculty are uncertain about any given disclosure, refer to the criteria described below and discuss with supervisors, administrators, or other individuals designated by the departments.

Non-Routine Disclosures

For non-routine disclosures, the employees and faculty should use Health Science Center criteria designed to limit the protected health information disclosed to the information reasonably necessary to accomplish the purpose for which disclosure is sought. Each department of the Health Science Center in which protected health information is disclosed must designate individuals to review requests on an individual basis in accordance with such criteria.

Requests for Entire Record

Health Science Center employees or faculty must not honor a request for an entire medical record except when the entire medical record is specifically justified as the amount that is reasonably necessary to accomplish the purpose of the use.

Exceptions

The minimum necessary requirement does not apply in the following situations:

1. Disclosures or requests by a health care provider for treatment;

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2. Uses or disclosures made to the individual except as provided in [Section 11.3.6](#) of the *Handbook of Operating Procedures*, "Access of Individual to Protected Health Information";
 3. Uses or disclosures made pursuant to a patient authorization or other authorized individual;
 4. Disclosures made to the Secretary of Health and Human Services;
 5. Uses or disclosures required by law; and,
 6. Uses or disclosures that are required to determine compliance with federal privacy regulations.
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