

## **CHAPTER 38**

### **Release of Health Information: Patient Identifiable Information**

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#### **I. POLICY**

Health Record Services (HRS) shall establish and implement protections for the release of confidential information. Patient authorization shall be obtained from the patient prior to the release of general patient identifiable information to authorized persons. An authorization shall be obtained for written and verbal releases unless there is a specific statutory exemption. Each authorization shall be documented in the patient's unit health record (UHR). Documentation of an authorization to release medical information shall furnish written evidence of statutory compliance.

The patient shall sign an "Authorization for Release of Health Care Record" prior to any disclosure, for the release of confidential information to a non-treating, or non-clinical person legally authorized to receive such information.

#### **II. PROCEDURE**

A. Health care staff shall:

1. Use the "Authorization for Release of Health Care Record" to release any patient health-related information, unless exempted by statute.
2. Have the patient sign and date the authorization and complete all the information items:
  - a. Enter the name and the address of the physician, care provider or hospital and/or institution that is to release the information.
  - b. Enter the name of the physician, care provider or hospital, and address to whom the information is to be released.
  - c. Enter the patient's full name: first, middle, last.
  - d. Enter the patient's date of birth (DOB) and CDC number.
  - e. Record specifically the type of information to be released, such as, "hip fracture, 1992," "injury to chest, July 1993" or "diabetes treated since 1993."
  - f. Enter inclusion date of information to be released (e.g., 1/1/94 - 1/1/95).
  - g. Enter the purpose or reason for release of this information to the above-named person, facility, or agent.
  - h. Strike out the words HIV status, mental health, and/or substance abuse if this information is not to be released.
  - i. Record the date the authorization to release this information becomes effective and the date the release is no longer valid.
3. Have a competent adult witness the patient's signature:
  - a. Sign full name, (first, middle and last) with title, as appropriate.

- b. Record the date the signature is witnessed.
  4. Offer the patient a completed copy of the authorization.
  5. Check "yes," or "no," if copy of authorization is, or is not, provided to the patient. If the patient does not want a copy, enter the reason, e.g., "Patient did not want a copy."
  6. Forward all requests for patient identifiable information to the HRS to ensure that all statutory conditions for the release of confidential patient information are met.
- B. Health Record Staff shall process all requests for release of general health record information as follows:
1. Verify that information is released only as permitted by law.
  2. Ensure that the written authorization for the release of confidential information contains the required information listed under Section A above. Forms from outside requesters are acceptable, providing they meet the requirements listed under Section A above.
  3. Obtain any missing items from the patient.
  4. Verify that the patient has received, or been offered a copy of the completed authorization. If not, send the appropriate copy to the patient.
  5. Process the request as follows:
    - a. Retrieve the UHR
    - b. Calculate the cost of photocopying, and request advance payment from the requester if permitted by law.
    - c. Photocopy the requested information.
    - d. Prepare a cover letter and invoice, if needed.
    - e. Photocopy the request, if received from an outside requester.
    - f. Place materials in a sturdy envelope.
    - g. Mail or notify the requester that the copies are available for pickup.
  6. File a copy in the UHR in the "medico-legal" section.
  7. Note: Refer to policies on Drug/Substance Abuse, HIV, Mental Health, and Subpoena for processing of these special requests.