



**City of Winchester
Fire & Rescue Department
STANDARD OPERATING PROCEDURE**



Section:	HIPAA	SOP:	14.5
Subject:	Patient Request for Confidential Communications of Protected Health Information	Executed:	May 28, 2015
		Revised:	
Approved:			
 Allen W. Baldwin, Fire Chief			

Purpose

The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) grants individuals the right to request that Winchester Fire & Rescue send PHI to an alternate location (e.g., somewhere other than a home address), or through alternate means (e.g., by email rather than regular mail). This is called the right to “confidential communications.” Winchester Fire & Rescue has an obligation to grant patients this right and it must abide by a request for confidential communications of PHI in accordance with federal and state law. To ensure that Winchester Fire & Rescue complies with its obligations, this policy outlines procedures for handling requests for confidential communications of PHI and establishes the procedures by which patients or their authorized representatives may request confidential communications.

Scope

This policy applies to all Winchester Fire & Rescue staff members who handle requests from patients for confidential communications of their PHI. All requests will be directed to the HIPAA Compliance Officer/EMS Billing Manager and it shall be the responsibility of the HIPAA Compliance Officer/EMS Billing Manager to handle all requests for confidential communications.

Procedure

Requests for Confidential Communications

1. Winchester Fire & Rescue will permit patients to request that Winchester Fire & Rescue send PHI to individuals at an alternate location (e.g., somewhere other than a home address), or in a specific manner (e.g., by email rather than regular mail).

2. All requests for confidential communications PHI shall be referred to the HIPAA Compliance Officer/EMS Billing Manager who shall request that the patient or authorized representative complete and submit Winchester Fire & Rescue 's "Patient Request for Confidential Communications of Protected Health Information" Form. All requests will be reviewed and denied or approved by the HIPAA Compliance Officer/EMS Billing Manager in accordance with this policy. The HIPAA Compliance Officer/EMS Billing Manager shall utilize the "Review of Patient Request for Confidential Communications of Protected Health Information" Form when reviewing requests for confidential communications of PHI.
3. The HIPAA Compliance Officer/EMS Billing Manager must verify the patient's identity, or, if the requestor is not the patient, the name and identify of the representative and whether the representative has the authority to act on the patient's behalf. The use of a driver's license, social security card, or other form of government-issued identification is acceptable for this purpose. If it is impossible for the requestor to physically come in to make the request and verify this information, the HIPAA Compliance Officer/EMS Billing Manager shall ask the requestor to verify the patient's name, date of birth, SSN, address, and telephone number over the phone and ask the requestor to submit the "Patient Request for Confidential Communications of Protected Health Information" Form via email, mail or fax.
4. Winchester Fire & Rescue is required to and will agree to any "reasonable requests" for confidential communications.

Granting a Request for Confidential Communications

1. Winchester Fire & Rescue will and must comply with a confidential communications request if the request is "reasonable." The HIPAA Compliance Officer/EMS Billing Manager shall take into account logistical reasons and other factors, such as the cost of making the alternate confidential communications, when determining whether the request is reasonable.
2. If Winchester Fire & Rescue receives a request from a patient or authorized representative asking Winchester Fire & Rescue to communicate PHI in an alternate manner and Winchester Fire & Rescue determines that the request is reasonable, it will agree to the request and the HIPAA Compliance Officer/EMS Billing Manager shall inform the patient of that fact, in writing, by sending an "Acceptance of Request for Confidential Communications of Protected Health Information" (Attachment A) letter to the patient. The HIPAA Compliance Officer shall also note on the "Review of Patient Request for Confidential Communications of Protected Health Information" Form that the request was accepted and document all pertinent information regarding the request and acceptance.

Denying the Request for Confidential Communications

1. If the HIPAA Compliance Officer determines, after taking into account logistical reasons and other factors, that the request is not reasonable, the HIPAA Compliance Officer shall deny the request, in writing, by dispatching a “Denial of Patient Request for Confidential Communications of PHI” (Attachment B) letter to the patient.
2. The HIPAA Compliance Officer shall also note on the “Review of Patient Request for

Confidential Communications of Protected Health Information” Form that the request was denied, and document all pertinent information regarding the request and denial.

Attachment A



Patient Request for
Confidential Communi

Attachment B



Patient Request for
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