

STANDARD OPERATING PROCEDURE	
SUBJECT:	EMS BILLING
TOPIC:	HIPAA PERMITTED USE AND DISCLOSURE OF PROTECTED HEALTH INFORMATION
Reference Number:	EMS-06-005
Effective Date:	July 1, 2006
Date Last Reviewed:	
Signature of Approval:	Frank E. Wright, Fire & Rescue Chief

1.01 **PURPOSE:**

To describe permitted use and disclosure of protected health information (PHI) in accordance with the provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

1.02 **GENERAL:**

To stay within the guidelines of (HIPAA) to protect healthcare information obtained. To safeguard the use of the PHI .

1.03 **RESPONSIBILITY:**

It is the responsibility of the Privacy Officer and Alternate Privacy Officer, to thoroughly train and familiarize Winchester Fire & Rescue Department members regarding HIPAA policies and procedures.

1.04 **PROCEDURE:**

- Personnel acting on behalf of the WFRD may use or disclose PHI in the following instances **without permission from the patient:**
 1. Directly to the patient or the patient's authorized representative.
 2. For WFRD treatment of the patient.

3. For WFRD payment purposes for services provided to the patient.
 4. For approved WFRD health-care operations purposes.
 5. For the treatment activities of another health care provider on behalf of the patient.
 6. For payment activities of another covered entity on behalf of the patient.
 7. For mandatory state reporting laws, and when required by the Secretary of the Department of Health and Human Services to investigate compliance by WFRD.
 8. In accordance with specific disclosure provisions detailed in the Coordination with Law Enforcement, Protected Health Information for Public Health Activities and Media Relations Standard Operation Procedures.
- Personnel acting on behalf of the WFRD may disclose only the minimum necessary amount of PHI in the following instances when the patient has verbally agreed to such disclosure.
 1. In accordance with a valid authorization signed by the patient.
 2. To a person presumed to be involved in an individual's care or payment related to the individual's health care.
 3. To facilitate emergency notification of a responsible representative concerning a patient's location, general condition, or death.
 4. For disaster relief notification purposes to a public or private entity authorized by law or its charter to assist in disaster relief efforts concerning the patient's location, general condition, or death.
 5. In the event of a patient's incapacity or unavailability, disclosures may only be made on behalf of the patient by the Emergency Medical Transport supervisor, in accordance with the Emergency Medical Transport supervisor's best professional judgment and experience with common practice, when such a disclosure is in the best interests of the patient and when such a disclosure will not interfere with the provision of emergency treatment to the patient.

1.04 **MINIMUM NECESSARY:**

- When using or disclosing PHI, or requesting PHI from another covered entity, the WFRD will make reasonable efforts to limit PHI to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request. Minimum necessary provisions do not apply when PHI is required for treatment purposes.

1.05 **REVOCATION:**

1.06 **REVISION:**