

STANDARD OPERATING PROCEDURE	
SUBJECT:	EMS Billing
TOPIC:	HIPAA: Protected Health Information For Public Health Activities
Reference Number:	EMS-06-008
Effective Date:	July 1, 2006
Date Last Reviewed:	
Signature of Approval:	Frank E. Wright, Fire & Rescue Chief

1.01 **PURPOSE:**

The purpose of this policy is to outline the use and disclosure of Protected Health Information (PHI) for public health activities.

1.02 **GENERAL:**

To stay within the guidelines of The Health Insurance Portability and Accountability Act (HIPAA) of 1996 to protect healthcare information obtained and safeguard the use of 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 (WFRD) members regarding HIPAA policies and procedures.

1.04 **POLICY:**

The Winchester Fire & Rescue Department may use and disclose PHI for certain public health activities and purposes as listed below:

- Under the direction of Winchester-Frederick County Health Department disclosures are permitted to any authorized public health authority or to an official acting in collaboration with a public health authority for the purpose of preventing or controlling disease, injury, or disability or other public health intervention.

1. Routine reports of disease, injury, and vital events will be made by the local hospital following department transport of the patient to the receiving facility.

2. Bio-terrorism event reports shall require disclosures to law enforcement authorities as directed by the Chief of Police.
- Under the direction of the Food and Drug Administration (FDA) to any authorized authority while performing duties of investigating an FDA regulated product or activity to ensure the quality, safety, and effectiveness of such product or service
 - In accordance with the provisions of the Code of Virginia Deemed Consent laws regarding the identification of a patient where a communicable disease exposure may have occurred while rendering emergency care or assistance
 1. Department personnel shall follow the Exposure Control Plan for communicable disease exposure procedures.
 2. The Winchester-Frederick County Health Department Director or designee shall inform all non-health care providers, to include law enforcement and Good Samaritans, of any confidential test results.
 - In accordance with mandated reporting laws, to an appropriate government authority, authorized by law to receive reports of victims of abuse or neglect.
 - In accordance with mandated reporting laws to the Commissioner of the Department of Labor and Industry or his designee, when a work related incident results in the hospitalization of three or more patients or the death of one or more patients.
 - To an employer, including Safety and Personnel Services Division or designee, when emergency health care services are requested by the employer for an employee of the workforce and the employee has received emergency health care services from the department for the purposes of:
 1. Conducting an evaluation relating to medical surveillance of the workplace.
 2. Evaluating if the employee has a work-related illness or injury.
 3. Determining if the protected health information that is disclosed consists of findings concerning a work related illness or injury, or workplace related medical surveillance, or the employer needs such findings to comply with recording obligations of state law.
 - The disclosures of protected health information to an employer for such limited circumstances are included in the department's Notice of Privacy Practices.
 1. All other disclosures for public health activities shall require patient authorization.

1.05 **PROCEDURE:**

- The use and disclosure of protected health information for public health activities shall follow the minimum necessary requirements of HIPAA.
- Department members shall verify the identity and authority of persons, agencies, or organizations requesting information for public health activities.
- The Privacy Officer shall approve all disclosures whereby the verification of identity and authority of the requester is unclear.
- The department shall document and account for all verbal and written disclosures of PHI for public health purposes.

1.06 **REVOCATION:**

1.07 **REVISIONS:**