

**TITLE: FAX POLICY**

**POLICY:**

Employees of Columbia University Medical Center will protect the confidentiality of Protected Health Information (PHI) when transmitting or receiving information via facsimile (fax).

**PURPOSE :**

Fax machines provide a useful mechanism for rapidly and cost-effectively communication of information and documents within the organization and to outside entities with whom Columbia University Medical Center does business. The purpose of this policy is to describe the procedures required to preserve the privacy and security of PHI transmitted to or from Columbia University Medical Center by fax.

**PROCEDURES:**

**1. Sending Faxes.**

Workforce members will transmit patient information by fax only when the transmission is time-sensitive and delivery by regular mail will not meet the reasonable needs of the sender or recipient.

2. Workforce will take reasonable steps to send the fax transmission to the intended recipient. This includes verifying that the recipient received the fax.
3. All faxes containing PHI must include a cover sheet identifying the name of the sender and recipient.
  - o Employee should confirm with the intended recipient that the receiving fax machine is located in a secure area or that the intended recipient is waiting by the fax machine to receive the transmission.
  - o Fax machine should be pre-programmed with the fax numbers of those recipients to whom PHI is frequently sent. Pre-programmed fax numbers should be tested frequently to confirm they are still valid.
  - o When a fax number is entered manually (because it is not one of the pre-programmed numbers) the individual entering the number will visually check the recipient's fax number on the fax machine prior to starting the transmission.
- A. Employees should use Columbia University Medical Center's standard fax cover sheet that contains the following PHI statement:

*This facsimile is intended only for the use of the named addressee and may contain information that is confidential or privileged. If you are not the intended recipient, or you are not the employee responsible for delivering the facsimile for the intended recipient, you are hereby notified that any dissemination, distribution or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify the sender immediately.*
- B. The name, business affiliation, telephone number and fax number of the

intended recipient as well as the number of pages contained in the transmission should be included on the cover sheet.

- C. Fax confirmation sheets should be checked immediately or as soon as possible after the fax has been transmitted, to confirm the material was faxed to the intended fax number. If the intended recipient notifies the sender that the fax was not received, the sender will use best efforts to determine whether the fax was inadvertently transmitted to another fax number by checking the fax confirmation sheet and/or the fax machine's internal logging system.
- D. If an individual becomes aware that a fax was sent to the wrong fax number, the employee will immediately attempt to contact the recipient by fax or telephone and request that the faxed documents, and any copies of them, be immediately returned to Columbia University Medical Center or destroyed. The individual's supervisor or the HIPAA Privacy Officer will also be notified of the mis-directed fax.
- E. Fax confirmation sheets should be attached to and maintained with all faxed documents.
- F. Sensitive PHI (such as HIV/AIDS results or status or substance abuse and mental health treatment records) should never be sent by fax.
- G. When faxing PHI, workforce members will comply with all other Columbia University Medical Center policies.

## **2. Receiving Faxes**

Workforce members who are intended recipients of faxes that contain PHI will take reasonable steps to minimize the possibility those faxes are viewed or received by someone else. Reasonable steps include, but are not limited to, the following:

- A. Fax machines that receive faxes that may receive patient information should be located in a secure area. The area must be locked / secured when not staffed.
- B. If an individual receives a fax addressed to someone other than the employee and the person to whom the fax is addressed is someone at Columbia University Medical Center, the individual will promptly notify the individual to whom the fax was addressed and deliver or make arrangements to deliver the mis-directed fax as directed by the intended recipient. The recipient will notify the sender that the fax was mis-directed.
- C. If an individual receives a fax addressed to someone other than the employee and the person to whom the fax is addressed is NOT affiliated with Columbia University Medical Center, the employee will promptly notify the sender, and destroy or return the faxed material as directed by the sender.
- D. Departments that routinely receive faxes containing PHI from other individuals or organizations (either internal or external sources) will promptly advise those regular senders of any changes to the department's fax number.

- E. Individual who receive faxes that contain sensitive PHI (such as HIV/AIDS results or status or substance abuse and mental health treatment records) will promptly advise the senders of such faxes that it is the policy of Columbia University Medical Center not to accept transmissions of sensitive PHI by fax.

### **3. Enforcement**

Workforce members who do not comply with this policy will be subject to disciplinary action. Depending on the facts and circumstances of each case, and in accordance with any applicable collective bargaining agreements, Columbia University Medical Center may reprimand, suspend, dismiss or refer for criminal prosecution, any employee who fails to comply with this policy.

### **4. Definitions**

***Protected Health Information (PHI)*** means information that relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual or the past, present or future payment for the provision of health care to an individual and identifies or could reasonably be used to identify the individual.

**Secure Area** A location that is accessed only by CUMC faculty and staff (e.g. Office). Does not include waiting rooms or hallways, other areas that can be accessed by visitors or patients or any non workforce members.

***Sensitive Protected Health Information (Sensitive PHI)*** means Protected Health Information that pertains to (i) an individual's HIV status or treatment of an individual for an HIV-related illness or AIDS, (ii) an individual's substance abuse condition or the treatment of an individual for a substance abuse disorder or (iii) an individual's mental health condition or treatment of an individual for mental illness.

**RESPONSIBILITY:** Departments, HIPAA Privacy Officer

**ISSUED:** December 2003

**REVIEWED:** October 2007

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