

TITLE: DISCLOSURES OF PROTECTED HEALTH INFORMATION OVER THE TELEPHONE

POLICY:

It is the policy of CUMC to communicate treatment information only to the patient or their authorized representative. Certain exceptions may apply as described below.

PURPOSE

In some situations, using the telephone to communicate with a patient or to respond to requests for a patient's PHI is necessary or, more convenient, than communicating via mail or requiring the patient come to Columbia University Medical Center for a face-to-face meeting. However, the individual's identity cannot be verified with absolute certainty if communications are conducted solely via the telephone, and a patient's Protected Health Information (PHI) could inadvertently be released to an unauthorized individual purporting to be someone he/she is not.

This Policy describes the procedures to confirm the identity of the individual to whom they disclose PHI to over the telephone to limit the possibility of unauthorized disclosures.

PROCEDURES:

1. **Staff should attempt to limit, to the extent practicable, PHI communicated over the telephone.**
2. **Requests from or disclosures to a caller stating he/she is a patient.** If a caller states he/she is a patient and he/she is requesting PHI about himself/herself, the employee will only provide the PHI when they have confirmed the caller is the patient.
 - a. The employee will, prior to disclosing PHI, ask specific questions that could only be answered by the patient. For example, the patient's date of birth, address, father's name, or mother's name.
 - b. If the employee knows the patient and the patient's voice, and recognizes the voice on the telephone as being that of the patient the verification is not required
 - c. The employee may elect to place a return call to the patient using the telephone number documented in the patient's file rather than immediately disclosing the patient's PHI to a caller initiating the telephone conversation.
3. **Requests from or disclosures to a caller who is not a patient**
 - . If the caller states he/she is an immediate family member (i.e., father, mother, child, sibling) of the patient, the employee will notify the health care provider to determine what information may be provided to this individual. Refer to minor's policy for children under the age of 18.
 - a. If the caller states he/she is a friend, relative, or acquaintance of the patient, or if the caller is unrelated to the patient (e.g., the patient's employer, a

disinterested third party, a policeman, a reporter, etc.) the employee will:

1. not disclose PHI without the patient's permission; or
2. provide only directory information about the patient. Directory information is defined as:
 - a. the patient's name;
 - b. the patient's location at and
 - c. the patient's condition described in general terms that do not communicate specific PHI about the patient (e.g., "good," "stable," "critical," etc.).
4. **Calls to a patient's home:**
 - a. Employees at CUMC may not leave messages regarding treatments, diagnostic or testing information on a patient's answering machine. Individuals leaving appointment reminders may only provide the name of the provider, the office phone number or the location.
 - b. In an emergency all efforts should be used to contact a patient and provide important treatment information.
5. **Documenting disclosures made over the telephone.**
 - . If PHI is disclosed to a caller, the employee will document the disclosure: The disclosure should be documented in the medical record or can be maintained in a separate disclosure log.
 - a. Disclosure of a patient's PHI to the patient or pursuant to the patient's authorization need not be documented.
 - b. Documentation of any disclosures of PHI made over the telephone will be maintained for a minimum of six (6) years and may be stored in the patient's file or on a disclosures log. If the documentation of disclosures made is stored in the patient's file, it will not be considered part of the patient's file, and would not be provided as part of the patient's medical record.
6. **Questions.** Questions about disclosure of a patient's PHI over the telephone should be directed to the employee's supervisor or the HIPAA Privacy Officer.
7. **Definitions.**

Protected Health Information is information about a patient, including demographic information that may identify a patient that relates to the patient's past, present or future physical or mental health or condition, related health care services or payment for health care services.

RESPONSIBILITY: HIPAA Privacy Officer, Departments

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