


Effective Date: APRIL 2023	Version: 2 Supersedes: FEB 2016	Related Documents:
	<h1>RELEASES OF PROTECTED HEALTH INFORMATION FOR TREATMENT, PAYMENT AND HEALTH CARE OPERATIONS</h1>	
Approved by: BRETT ANTCAK Policy Owner: HIPPA		Regulation: Policy Category: ADMINISTRATION


POLICY:

Hospital, Clinic and Ambulance may release PHI in response to a request from an individual or entity as allowed by state or federal law. If the workforce member is not familiar with the individual or entity requesting PHI, workforce members shall obtain any documentation, statements or representations, oral or written, to verify the identity, authority and affiliation of such individual or entity. In all instances, workforce members shall use professional judgment when making disclosures of PHI where authorization is not required and document such releases if the release is required by law.

PROCEDURE:


Hospital, Clinic and Ambulance may, but are not required by law to, use and disclose PHI for the following reasons:

1. Hospital, Clinic and Ambulance may share PHI with other members of the workforce for purposes of treatment, payment, and health care operations (TPO).
2. Hospital, Clinic and Ambulance may release PHI to a health plan for the purpose of payment or healthcare operations. Hospital, Clinic and Ambulance may also release PHI to a health plan that has or had a relationship with the patient who is the subject of the information if the PHI relates to that relationship for the plan's purpose of quality assessment and improvement activities, population-based activities relating to improving health or reducing health care costs, case management and care coordination, conducting training programs, accreditation, licensing, or credentialing activities, or for the plan's purpose of health care fraud and abuse detection or compliance.
3. Hospital, Clinic and Ambulance may release PHI to a health care clearinghouse for payment or to make payment.
4. Hospital, Clinic and Ambulance can release PHI to Independent Physician Associations (IPAs), Management Service Organizations (MSOs), Managed Care Organizations (MCOs), Coordinated Care Organizations (CCOs) or other types of networks that contract with Hospital, Clinic and Ambulance or other health plans. These organizations provide management services that may


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include, among other things: negotiation of health plan agreements; utilization management with referral, authorization, and care coordination; claims payment services with data capture, analysis and reporting; and quality assurance activities. Most of these activities will involve the exchange of PHI for the purpose of TPO.

5. Hospital, Clinic and Ambulance may disclose a patient PHI to a business associate if the disclosure is for the purpose of TPO only if a business associate contract is in place. See the **Business Associate Agreement** policy.
6. In order to release certain types of PHI such as HIV/AIDS, mental health, genetic testing or substance abuse records for purposes of TPO, Hospital, Clinic and Ambulance are required to obtain a specific release or authorization from the patient that complies with the applicable law. See the **Authorization for Release of Information** policy.
7. Hospital, Clinic and Ambulance will release PHI for the following purposes:
 - Military activity
 - National security or intelligence activity
 - Protective services for the President and others
 - Medical suitability determinations (Department of State)
 - Correctional institutions or law enforcement custodial situations
 - Covered entities that are governmental programs providing public benefits
9. Releases of PHI for other than treatment, payment and healthcare operations shall be accounted for any individual. See **Accounting for Disclosures** policy.
10. If an Hospital, Clinic and Ambulance workforce member receives a request to release PHI with or without individual authorization and the individual or entity requesting the PHI is not known to the workforce member, the workforce member shall authenticate the individual or entity prior to releasing any PHI to the third party individual or entity.

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11. The workforce member shall authenticate the identity of the third party individual or entity and authenticate the third party individual or entity's authority to receive the requested PHI.
12. If a workforce member has a question regarding whether the release is appropriate and allowed pursuant to the HIPAA Privacy Rule, state law and other federal law, the workforce member will forward the request to the Administrator to review before releasing PHI.

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