

<p>WEBER HUMAN SERVICES</p>	<h1>Policy & Procedure</h1>	<p>NUMBER 13</p>
	<p>HIPAA/Privacy</p>	<p>APPROVED 2/21/2014</p>
	<h2>DISCLOSURES OF PHI OVER THE TELEPHONE</h2>	<p>REVIEWED 5/11/2017</p>
		<p>REVISED</p>

POLICY:

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

PURPOSE:

In some situations, using the telephone to communicate with a client or to respond to requests for a client's PHI is necessary or, more convenient, than communicating via mail or requiring the client come to Weber Human Services 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 client'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 client.** If a caller states he/she is a client and he/she is requesting PHI about himself/herself, the employee will only provide the PHI when they have confirmed the caller is the client.
 - a. The employee will, prior to disclosing PHI, ask specific questions that could only be answered by the client, for example, the client's date of birth, address, social security number.
 - b. If the employee knows the client and the client's voice, and recognizes the voice on the telephone as being that of the client the verification is not required
 - c. The employee may elect to place a return call to the client using the telephone number documented in the client's file rather than immediately disclosing the client's PHI to a caller initiating the telephone conversation.
3. **Requests from or disclosures to a caller who is not a client.** If the caller states he/she is an immediate family member (i.e., father, mother, child, sibling) of the client, the employee will contact the Privacy Officer, or designee 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 client, or if the caller is unrelated to the client (e.g., the client's employer, a disinterested third party, a policeman, a reporter, etc.) the employee will not disclose without the client's permission unless required by state or federal law. In such cases, the Privacy Officer or designee should verify the identity and the authority of the person making the

request (see Verification of Identity and Authority of the Officials requesting PHI Policy)

4. Calls to a client's home:

- a. Employees at the Facility may not leave messages regarding treatments, diagnostic or testing information on a client'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 client and provide important treatment information.

5. Documenting disclosures made over the telephone.

- a. Disclosure of a client's PHI to the client or pursuant to the client's authorization need not be documented.
- b. If PHI is disclosed to someone other than the client or client's personal representative over the phone not pursuant to an authorization, the employee will document the disclosure.
- c. 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 client's file or on a disclosures log. If the documentation of disclosures made is stored in the client's file, it will not be considered part of the client's file, and would not be provided as part of the client's medical record.

6. Questions. Questions about disclosure of a client's PHI over the telephone should be directed to the employee's supervisor or the Privacy Officer.