

## ORGANIZATION POLICY

POLICY TITLE: ONSLOW MEMORIAL HOSPITAL DISCLOSURE OF PROTECTED HEALTH INFORMATION TO PROVIDERS, FRIENDS AND FAMILY MEMBERS IN EMERGENCY SITUATIONS

POLICY NUMBER: 1303

(1) **AUTHORITY:** This Policy is enacted pursuant to authority delegated to the management of Onslow Memorial Hospital, Inc. ("OMH") by its board of directors.

(2) **DEFINITIONS:** Certain terms having specific definitions are used in this Policy, and these terms and definitions are as follows:

- a. Individually identifiable health information means information that is a subset of health information, including demographic information collected from an individual, and:
  - i. Is created or received by a healthcare provider, health plan, employer, or healthcare clearinghouse; and
  - ii. 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
    1. That identifies the individual; or
    2. With respect to which there is a reasonable basis to believe the information can be used to identify the individual.
- b. Protected health information means individually identifiable health information:
  - i. Except as provided in paragraph (ii) of this definition, that is:
    1. Transmitted by electronic media;
    2. Maintained in any medium described of *electronic media* at § 162.103; or
    3. Transmitted or maintained in any other form or medium.
  - ii. Protected health information excludes individually identifiable information in:
    1. Education records covered by the Family Educational Right and Privacy Act, as amended, 20 U.S.C. 1232g; and
    2. Records described at 20 U.S.C 1232g(a)(4)(B)(iv).

(3) **APPLICABILITY:** This Policy shall apply to all employees and agents of OMH. This Policy shall become effective when approved and signed by the President and Chief Executive Officer of OMH.

(4) **PURPOSE AND APPLICABLE LAW:** The purpose of this Policy is to establish OMH's disclosure of patient information to providers, friends and family members in emergency situations.

OMH may disclose protected health information to another provider without first obtaining a written Authorization form from the patient if the disclosure is for the purpose of providing emergency treatment to the patient.

OMH may disclose protected health information to the Patient's family or other person in an emergency circumstance if the disclosure is in the patient's best interest.

PROCEDURE:

**If the Request is from a Physician or other Health Care Provider**

OMH shall verify that the request is for the purpose of providing emergency treatment to the patient. OMH shall document the name of the provider and the date of the request and shall provide the Patient Information to the requester in the manner specified.

OMH shall not deny an emergency request for protected health information by a provider simply because the provider has not submitted a written request on hospital or Provider letterhead.

**If the Request is from a Patient, Spouse, Parent, Child or Other Person**

OMH may disclose protected health information to a family member or other person in an emergency circumstance without requiring a signed Authorization to Disclose Health Information as long as the disclosure is in the patient's best interest. The protected health information disclosed shall be limited to that which is directly relevant to the person's involvement in the patient's care.

In cases where the patient's medical record indicates that the individual is an inmate, OMH shall notify the correctional institution of the request prior to providing the protected health information.

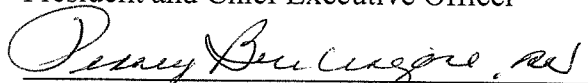
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Onslow Memorial Hospital, Inc. by  
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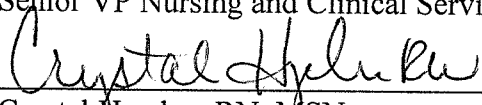
EFFECTIVE DATE: June 2005

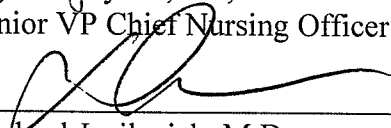
REVISION DATE: January 12, 2009

APPROVED BY: \_\_\_\_\_

  
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