

ORGANIZATION POLICY

POLICY TITLE: ONSLow MEMORIAL HOSPITAL DISCLOSURE OF
PROTECTED HEALTH INFORMATION FOR WORKERS' COMPENSATION

POLICY NUMBER: 1306

(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 protected health information for workers' compensation.

OMH may disclose protected health information as authorized by and to the extent necessary to, comply with laws relating to workers' compensation or other similar programs established by law that provide benefits for work-related injuries or illnesses without regard to fault. **OMH need not obtain an authorization or permit the Patient the opportunity to agree or object prior to making the disclosure.**

PROCEDURE:

OMH may disclose protected health information regarding an individual to a party responsible for payment of workers' compensation benefits to the individual, and to an agency responsible for administering and/or adjudicating the individual's claim for workers' compensation benefits. Workers' compensation benefits also include benefits under programs such as the Black Lung Benefits Act, the Federal Employees' Compensation Act, the Longshore and Harbor Workers' Compensation Act, and the Energy Employees' Occupational Illness Compensation Program Act.

The amount of protected health information to be disclosed to these programs should be limited to the minimum amount necessary to accomplish the intended purpose.

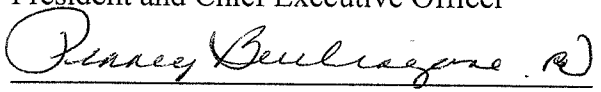
This document has been reviewed for
Onslow Memorial Hospital, Inc. by
Sumrell, Sugg, Carmichael, Hicks & Hart, P.A

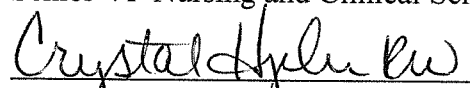
EFFECTIVE DATE: June 2005

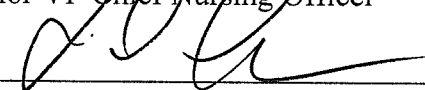
REVISION DATE: January 12, 2009

APPROVED BY: _____


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