Policy:

- The Division will take necessary steps to accommodate reasonable requests by individuals to receive confidential communications of protected health information (PHI).

- The Division will provide confidential communications by alternative means or at alternative locations, especially when the disclosure of all or part of that information could endanger the individual.

Purpose: It is important to ensure individuals can receive communications regarding their PHI in a means and location the individual feels is safe from unauthorized use or disclosure.

Procedures:

I. The Division may require individuals to make a request for a confidential communication in writing.

II. If applicable, the request for confidential communication of PHI will clearly state that the disclosure of all or part of that information could endanger the individual.

III. When appropriate, the Division may condition the provision of a reasonable accommodation on information as to how payment, if any, will be handled, and specification of an alternative address or other method of contact.

IV. The agency's HIPAA Compliance Officer, using professional judgment and considering all relevant factors, will work with the individual to determine an alternative means or location to communicate PHI, which is acceptable to both.

V. Once it is determined that use or disclosure is acceptable, medical records personnel with proper access clearance will access the individual's PHI using approved access and authorization procedures.

VI. The Division will deliver the requested PHI to the individual in a secure and confidential manner, ensuring employees or other persons who do not have appropriate access clearance cannot access the information.

VII. Medical records personnel will properly document the request and delivery of the PHI in the individual's case file.

VIII. In the event the identity and legal authority of an individual or entity requesting PHI cannot be verified, personnel will refrain from disclosing the requested information and report the case to the agency's HIPAA Compliance Officer in a timely manner.

IX. Each Division agency shall develop specific written procedures to implement the provisions of this policy or shall incorporate this policy into their agency policies.

Administrator

Effective Date: 4/15/03

Date Revised: 4/15/03; 7/6/07

Date Approved by MHDS Commission: