

Policies of the University of North Texas Health Science Center	Chapter 14
I. <b>14.219 Uses and Disclosures of PHI for Fundraising</b>	UNT Health

II.

### **Policy Statement**

UNTHSC may use or disclose certain protected health information (PHI) without an authorization to business associates or to an institutionally related foundation for the purpose of raising funds for its own benefit. The release of PHI must meet the requirements addressed below.

### **Application of Policy**

UNTHSC providers and employees

### **Definitions**

1. Protected Health Information (PHI): PHI is individually identifiable health information that is transmitted or maintained in any form or medium, including oral, written, and electronic.
2. Fundraising Communications: means a communication (in any format, including but not limited to, phone calls) to an individual that is made by UNTHSC, UNTHSC foundation, or a business associate on behalf of UNTHSC for the purpose of raising funds for UNTHSC.

### **Procedures and Responsibilities**

3. The use and disclosure of demographic information, which includes names, addresses, other contact information, age, gender and date of birth and dates of health care provided to an individual is permissible for fundraising purposes as long as the Notice of Privacy Practices is up to date in accordance with 42 CFR § 164.520(b)(1)(iii)(B).

Responsible Party: UNTHSC providers and employees

4. The use and disclosure of the following is permissible for fundraising purposes:
  - a. Health insurance status;
  - b. Dates of health care provided to the individual;
  - c. Department of service information (for example: Cardiology);
  - d. Treating physician information; and
  - e. Outcome information (includes information regarding the death of the patient or any sub-optimal result of treatment or services).

5. For any fundraising communications materials sent to individuals, the content must contain a description of how the individual may opt out of receiving any further fundraising communications is required. The opt-out provision may be any method as long as it is not an undue burden on the individual or has undue costs.

Responsible Party: UNTHSC providers and employees

1. UNTHSC may define the scope of the opt-out provision - for example, applicable to all fundraising communications or to a specific fundraising campaign.

I. Responsible Party: UNTHSC providers and employees

1. UNTHSC may define the scope as to how individuals may choose to opt back in to receive future fundraising communications.

II. Responsible Party: UNTHSC providers and employees

1. UNTHSC must make all reasonable efforts to ensure that For iindividuals who choose to opt out of receiving future fundraising communication, UNTHSC must ensure they are not sent such communications.

Responsible Party: UNTHSC providers and staffemployees

1. UNTHSC may not prohibit the conditioning of treatment or payment on an individual's choice with respect to the receipt of fundraising communications,

I. Responsible Party: UNTHSCH providers and employees

## **References and Cross-references**

45 CFR §164.514 (f)(1)(i)(2)(i)(ii) Uses and Disclosures for Fundraising

45 CFR Parts 160 and 164: Modifications to the HIPAA Privacy, Security, Enforcement, and Breach Notification Rules under HITECH, Final Rule, Effective Date March 26, 2013

## **Forms and Tools**

Approved: January 26, 2012

Effective: January 26, 2012

Revised:

