

Policies of the University of North Texas Health Science Center	Chapter 14 – UNT Health
I. 14.222 Minimum Necessary Disclosures of PHI	

II.

Policy Statement.

UNTHSC personnel will make reasonable efforts not to use or disclose more than the minimum amount of protected health information (PHI) necessary to accomplish the intended purpose of the use or disclosure.

Application of Policy

Applies to all UNTHSC employees

Definitions

1. Disclosure: means the release, transfer, provision of, access to, or divulging of information in any manner (verbally or in writing) by UNTHSC personnel to persons who are not UNTHSC employees or to any other person or entity outside of UNTHSC.
2. Use: means sharing, employment, application, utilization, examination, or analysis within UNTHSC.
3. Health care operations: encompasses many activities of an organization such as— training, business planning, development, management and administration, insurance functions, auditing functions, and quality assurance activities.
4. Protected Health Information: Protected health information, or PHI, is individually identifiable health information that is transmitted or maintained in any form or medium, including oral, written, and electronic.

Procedures and Responsibilities

5. UNTHSC employees may only access, use or disclose the minimum information necessary to perform his or her designated role regardless of the extent of access provided to him or her.

Responsible Party: UNTHSC employees

6. The minimum necessary standard does not apply in the following situations:
 - a. Disclosures to or requests by a health care provider for treatment purposes;
 - b. Uses or disclosures made to the individual who is the subject of the PHI;
 - c. Uses or disclosures made pursuant to a HIPAA compliant authorization;
 - d. Disclosures for HIPAA compliance purposes, including disclosures to the Secretary

of the Department of Health and Human Services (HHS) as permitted by the Privacy Standards; and

- e. Any uses or disclosures that are required by law and permitted by the Privacy Standards, without individual authorization.

Responsible Party: UNTHSC employees

- 7. UNTHSC may rely on a requested disclosure as being the minimum necessary when the request is made by:
 - a. A public official, if the public official represents that minimum necessary requirement is met;
 - b. An employee of UNTHSC or business associate of UNTHSC for purposes of providing professional services, if the professional representative that the information requested is the minimum necessary for the stated purpose;
 - c. A person requesting information for research purposes who has submitted appropriate documentation (i.e. Institutional Review Board waiver of authorization)

Responsible Party: UNTHSC employees

- 1. UNTHSC employees are permitted to access PHI only on a need-to-know basis for carrying out their specific job duties.

I. Responsible Party: UNTHSC employees

- 1. For any type of disclosures that UNTHSC makes on a routine and recurring basis, a process must be developed to limit the PHI disclosed to the amount reasonably necessary to accomplish the purpose for which the request is made.

Responsible Party: UNTHSC employees

- 2. UNTHSC employees may not disclose an entire medical record, except when the entire medical record is specifically justified as the amount that is reasonably necessary to accomplish the purpose of the use, disclosure, or request.

Responsible Party: UNTHSC employees

- 1. For all other requests for disclosures made on a non-routine basis:
 - a. Criteria must be developed and maintained to limit the disclosure or request for protected health information to the information reasonably necessary to accomplish the purpose of the disclosure or request; and
 - b. Such requests must be reviewed on an individual basis in accordance with the established criteria.

I. Responsible Party: UNTHSC employees

References and Cross-references

45 CFR § 164.514 Other requirements relating to uses and disclosures of protected health information

45CFR §164.502 Uses and disclosures of protected health information: general rules

Forms and Tools

Approved: January 26, 2012

Effective: January 26, 2012

Revised: