

Policies of the University of North Texas Health Science Center	Chapter 14 UNT Health
14.213 Permitted Uses and Disclosures of PHI: Victims of Abuse, Neglect or Domestic Violence	

#### Policy Statement.

University of North Texas Health Science Center (UNTHSC) personnel may use or disclose protected health information to the extent that such use or disclosure is required by law, and the use or disclosure complies with and is limited to the relevant requirements of such law. Health Science Center personnel must meet the requirements in this policy for disclosures relating to victims of abuse, neglect, or domestic violence.

#### Application of Policy.

This policy applies to all UNTHSC providers and 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.

##### Procedure / Duty

1. UNTHSC may disclose protected health information about an individual about whom UNTHSC reasonably believes to be a victim of abuse, neglect or domestic violence to a government authority authorized by law to receive such reports (including a social service or protective services agency) pursuant to the following:

- a. When required by law and in accordance with such law;
- b. When the individual agrees to the disclosure; or
- c. When expressly authorized by statute or regulation; and
- i. The UNTHSC provider, in the exercise of professional judgment, believes the disclosure is necessary to prevent serious harm to the individual or potential victims; or
- ii. If the individual is unable to agree because of incapacity, a law enforcement or other public official authorized to receive the report represents that the protected health information is not intended to be used against the individual and an immediate enforcement activity would be materially and adversely affected by waiting until the individual agrees.

Responsible Party

UNT Health providers and employees

- 2. If such disclosure is made, UNTHSC will promptly inform the individual that a report has been or will be made; except within the following circumstances:
  - a. In the exercise of professional judgment, UNTHSC believes that informing the individual would place the individual at risk of serious harm; or
  - b. UNTHSC would be informing a personal representative that UNTHSC reasonably believes is responsible for the abuse, neglect, or other injury, and informing the personal representative would not be in the best interest of the individual.

Responsible Party

UNT Health providers and employees

References and Cross-references.

45 CFR 164.512

Texas Health and Safety Code section 181.001, et seq.

Texas Family Code section 91.001, et seq.

Forms and Tools. (optional)

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Effective: January 26, 2012

Revised: