

CHELAN-DOUGLAS RSN/PIHP POLICY AND PROCEDURE MANUAL		Chapter:	1.4.2.13
Title:	HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT	Page:	1 of 4
		Date Effective:	April 14, 2003
Subject:	Minimum Necessary	Date Revised:	April 14, 2003
		Date Revised:	June 1, 2009
		Date Revised:	August 5, 2011
		Authorizing Signature:	

AUTHORITY: Authorizing Source: RCW 70.02 45 CFR 164 (HIPAA)

SCOPE: This policy applies to Chelan-Douglas Regional Support Network/Prepaid Inpatient Health Plan (CDRSN/PIHP) and its contractors (agencies/providers), and subcontractors (referred to as contractors or agencies or providers throughout this policy).

PURPOSE: The Chelan-Douglas Regional Support Network, in compliance with the Privacy Rules of HIPAA's Administrative Simplification provisions, sets out in this policy, the process for applying the Minimum Necessary Standard related to uses, disclosures, and requests for PHI.

DEFINITIONS: "Protected Health Information" means: Information about a consumer, including demographic information that may identify the consumer that relates to the consumer's past, present or future physical or mental health or condition, related health care services or payment for health care services.

POLICY: The Chelan-Douglas RSN/PIHP is committed to protecting patient privacy, including protecting the privacy of records that contain PHI. This policy describes that reasonable efforts individuals at the Chelan-Douglas RSN/PIHP will take to implement the Minimum Necessary Standard required by the Privacy Regulations of HIPAA.

PROCEDURES:

- I. When the Minimum Necessary Standard Does Not Apply. The Chelan-Douglas RSN/PIHP will only use and disclose the amount of consumer PHI that is minimally necessary except in the following circumstances:
 - A. When the PHI is for use by or a disclosure to a healthcare provider for the purposes of providing treatment to the consumer;
 - B. When the disclosure is to the consumer or the consumer's legally authorized representative;
 - C. When the disclosure is pursuant to a valid authorization, in

which case the disclosure will be limited to the PHI specified on the authorization;

- D. When the disclosure is to the Secretary of Health and Human Services; or
- E. When the disclosure is required by law.

II. Accessibility by Chelan-Douglas RSN/PIHP Employees to PHI:

- A. The Privacy Office is responsible for identifying those individuals employed by the Chelan-Douglas RSN/PIHP who need access to PHI in order to carry out their duties and the PHI or types of PHI to which access is needed.
- B. Chelan-Douglas RSN/PIHP Information Systems staff are responsible for making reasonable efforts to limit access to PHI by an employee to that necessary to carry out the employees job duties, functions, and/or responsibilities.
- C. Questions about PHI and its access by Chelan-Douglas RSN/PIHP employees will be directed to the HIPAA Privacy Officer.

III. Requests for PHI:

- A. The Chelan-Douglas RSN/PIHP Privacy Officer is responsible for reviewing requests for PHI from internal and/or external sources to determine whether the request is one to which the Minimum Necessary Standard applies.
 - 1. If the request is made by another healthcare provider in order to obtain PHI necessary to treat the patient, the Minimum Necessary Standard does not apply, and the PHI that is requested will be released as quickly as possible.
 - 2. If the request is not made for the purpose of providing treatment to the consumer, but it is also a type of request to which the Minimum Necessary Standard does not apply, the Chelan-Douglas RSN/PIHP will release the PHI in accordance with the policies of the Chelan-Douglas RSN/PIHP.
 - 3. If the request is not made for the purposes of providing treatment to the consumer, and it is a type of request to which the Minimum Necessary Standard applies, the Chelan-Douglas RSN/PIHP will:
 - a. Ensure that the request includes a statement of purpose and release only the minimum amount of information necessary to meet the purpose of the request; or
 - b. If the request does not include a statement of purpose, call the requester to obtain the statement of purpose for the request,

- document the call, and take appropriate action.
- B. If the request for PHI is one that occurs on a routine or recurring basis, the Privacy Officer is responsible for reviewing the request to determine whether it is one to which the Minimum Necessary Standard applies. Routine or recurring requests need to be reviewed to determine whether the Minimum Necessary Standard applies only the first time they are received and after each time they are modified.
 - C. The Chelan-Douglas RSN/PIHP staff will request only the minimum amount of PHI necessary to accomplish the purpose for which the request was made.
 - 1. Any questions about how to limit a request for PHI to ask for only the minimum amount necessary should be directed to the Privacy Officer.
 - 2. The Privacy Officer is responsible for conducting audits on an "as needed" basis to confirm that the Chelan-Douglas RSN/PIHP is in compliance with the Minimum Necessary policy.
 - D. The Chelan-Douglas RSN/PIHP will rely on requests for PHI as requesting only that PHI that is minimally necessary to meet the purpose of the request if:
 - 1. The request is from a public official and the public official represents that the information requested is the minimum necessary for the stated purpose(s); or
 - 2. The information is requested by another covered entity (health care provider, health care clearinghouse, or health plan); or
 - 3. The information is requested by an employee or a business associate of the Chelan-Douglas RSN/PIHP and the individual represents that the information requested is the minimum necessary for the stated purpose(s); or
 - 4. The information is for research purposes and is requested in accordance with and in the required legal format specified by law.

IV. Responses to Requests for PHI:

- A. If a request for PHI is reviewed to determine whether the Minimum Required Standard applies to it, but it is then forwarded to someone else at the Chelan-Douglas RSN/PIHP for processing, the individual forwarding the request is responsible for advising the individual who will respond to the request whether the Minimum Necessary

Standard applies.

- B. The person who responds to a request for PHI to which the Minimum Necessary Standard applies is responsible for ensuring the PHI disclosed is limited to the minimum amount of information necessary to meet the stated purpose of the request.