

# HACKETTSTOWN REGIONAL MEDICAL CENTER

## Administrative Policy & Procedure

### Disclosure to Caregivers

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Effective Date:	April 2003	Policy No:	HIPAA-02
Cross Referenced:		Origin:	Compliance Officer
Reviewed Date:	8/08, 6/12	Authority:	Chief Operating Officer
Revised Date:		Page:	1 of 2

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#### **PURPOSE:**

To ensure the proper use and disclosure of PHI to persons when such information is directly relevant to such person's involvement with the individual's care or payment related to the individual's health care.

#### **POLICY:**

Hackettstown Regional Medical Center (HRMC) does:

1. Obtain the individual's agreement, **OR**
2. Provide the individual with the opportunity to object to the disclosure, and the individual does not express an objection, **OR**
3. Reasonably infers from the circumstances, based the exercise of professional judgment, that the individual does not object to the disclosure, before disclosing:
  - To a family member, other relative, or a close personal friend of the individual, or any other person identified by the individual, the PHI directly relevant to such person's involvement with the individual's care or payment related to the individual's health care, if the individual is present for, or otherwise available prior to, a use or disclosure and has the capacity to make health care decisions.
  - PHI to notify, or assist in the notification of (including identifying or locating), a family member, a personal representative of the individual or another person responsible for the care of the individual of the individual's location, general condition, or death, if the individual is present for, or otherwise available prior to, a use or disclosure and has the capacity to make health care decisions.

HRMC does, in the exercise of professional judgment, determine whether the disclosure is in the best interest of the individual and, if so, disclose only the PHI that is directly relevant to the person's involvement with the individual's health care in the event that the individual is not present for or the opportunity to agree or object to the use or disclosure cannot practicably be provided because of the individual's incapacity or an emergency circumstance.

HRMC will use professional judgment and its experience with common practice to make reasonable inferences of the individual's best interest in allowing a person to act on behalf of the individual to pick up filled prescription, medical supplies, X-rays or other similar forms of PHI

HRMC will use or disclose PHI to a public or private entity authorized by law or by its charter to assist in disaster relief efforts, for the purpose of coordinating with such entities the uses or disclosures to notify, or assist in the notification of (including identifying or locating), a family member, a personal

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representative of the individual, or another person responsible for the care of the individual of the individual's location, general condition or death.

HRMC will exercise professional judgment in determining the requirements applicable when the individual is present and when the individual is not present do not interfere with the ability to respond to the emergency circumstances.