## Release of Information Frequently Asked Questions

**As a workforce member, it’s EVERYONE’S job to protect our patient’s privacy.**

**Be aware of your actions to reduce the risk of Privacy Violations!**

**Here are a few Release of Information for treatment purposes FAQs.**

**STOP, THINK, PROTECT!**

### Release of PHI at the Patient’s Request

**Question:** A patient or patient’s legal representative presents you with a signed copy of the authorization for Release of Information form requesting that the medical records be sent to them. What should you do?

**Answer:** ALL requests for release of medical information are to be referred to the Medical Records Department for processing. There are specific elements that must be present in the authorization form. The medical record department will confirm that the authorization is valid and then process the release of information.

### Verification of the Requestor in an Emergency Situation

**Question:** How do you confirm the role and relationship of the requestor when releasing protected health information for treatment purposes in an emergency situation, without the patient’s authorization?

**Answer:** It is very important to confirm that the requestor has an active treatment relationship with the patient prior to releasing PHI without the patient or patient’s legal representative’s authorization.

- The patient confirms an established patient-Provider relationship (OBTAIN A SIGNED AUTHORIZATION IF POSSIBLE)
- Current medical records reflect a pre-existing patient-provider relationship or a referral
- Hospital case management, social work, or medical records confirms the requesting provider has a direct treatment relationship with the patient.

### Confirming the Identity of the Patient when PHI is Provided

**Question:** How do you confirm the identity of the patient when a request for PHI is send via fax, mail, or over the phone?

**Answer:** When providing PHI over the phone, the identity of the patient needs to be confirmed by verifying his/her name, date of birth, and current mailing address. Only release the minimum necessary pertinent information. If you are unsure, ask your supervisor for assistance. All other request should be directed to the Medical Records Department.

Fax and Mail requests for PHI should be directed to the Medical Records Department for processing. SENSITIVE medical information (such as mental health or substance abuse) may not be released via phone, fax, or mailing without patient’s authorization.

**If the patient records are maintain by the clinic, then the hospital policy must be followed. Refer to policy# 1310: Confidentiality, Security, and Release of Protected Health Information.**

### Releasing PHI for Treatment Purposes without Patient Authorization

**Question:** A community physician refers a patient to SFGH and provides follow-up and ongoing care for the patient after discharge. Can you release PHI to the community physician without authorization?

**Answer:** Yes, you may release PHI to the referring community physician for treatment purposes. PHI is needed for the community physician to provide follow-up care for the patient. Patient’s authorization is not required. Mental Health & Substance Abuse Information may not be released without patient authorization.

### Report a Privacy Breach:

**Question:** Report Suspected Breaches of Protected Health Information (PHI):

- Privacy Officer: Maggie Rykowski (415) 206-4294
- Privacy Hotline: (415) 206-2354
- Email contacts: Maggie.rykowski@sfdpfh.org or suna@sfgiodean.ucsf.edu
- Reference to Reporting a Privacy Breach Policy [#8.27]

The Privacy Office also provides consultation on all privacy related questions. If you have any questions, please feel free to contact us.