



# PRIVACY PULSE

## PRIVACY AND CONFIDENTIALITY REMINDERS

JUNE 2014 ISSUE

AS A WORKFORCE MEMBER OF SFGH, 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 **UNAUTHORIZED ACCESS AND DISCLOSURE** BREACH SCENARIOS. **STOP, THINK, PROTECT!**

### FAMILY AND FRIEND'S MEDICAL RECORD



**SCENARIO:** YOUR FRIEND'S SON WAS RECENTLY BEEN SEEING IN PSYCHIATRY FOR ATTENTION DEFICIT DISORDER. YOUR FRIEND ASKS YOU TO GET HER A COPY OF THE REPORT. IS IT OKAY FOR YOU TO LOG ON TO LCR AND PRINT IT OUT FOR HER, SINCE YOU HAVE HER AUTHORIZATION TO DO SO?

**THE ANSWER IS NO! THIS IS AN UNAUTHORIZED ACCESS!**

**CORRECTION:** IT IS NOT NECESSARY FOR YOUR JOB. YOU WILL BE VIOLATING THE PATIENT'S PRIVACY BY ACCESSING HIS RECORDS. FURTHERMORE, YOUR ACCESS TO THE RECORD WILL AUTOMATICALLY BE RECORDED AND TRACKED. THERE WOULD BE SERIOUS CONSEQUENCES TO YOUR EMPLOYMENT. ALL REQUESTS FOR RELEASE OF MEDICAL INFORMATION ARE REFERRED TO MEDICAL RECORDS DEPARTMENT FOR PROCESSING.

### HIGH PROFILE PATIENT'S MEDICAL RECORD



**SCENARIO:** A FRIEND OF YOURS WAS IN A SERIOUS CAR ACCIDENT AND WAS ADMITTED TO THE EMERGENCY DEPARTMENT. SHE WAS A PATIENT OF YOURS AND WAS IN A CRITICAL CONDITION. YOU WANT TO SHARE YOUR FEELINGS WITH YOUR FAMILY AND FRIENDS ON FACEBOOK. IS IT OKAY TO POST AS LONG AS YOU DON'T MENTION HER NAME?

**THE ANSWER IS NO! THIS IS AN UNAUTHORIZED DISCLOSURE!**

**CORRECTION:** YOU CANNOT POST ANYTHING ON FACEBOOK THAT COULD POSSIBLY IDENTIFY THE PATIENT. YOUR FACEBOOK PROFILE MAY IDENTIFY YOUR PLACE OF WORK AND YOUR OCCUPATION. WHEN LINKED WITH YOUR POSTING AND WITH OTHER PUBLICLY AVAILABLE INFORMATION, THE ADDITIONAL DETAILS MAY IDENTIFY THE PATIENT.

**REMEMBER!** INFORMATION YOU OBTAIN FROM YOUR PATIENT IS CONFIDENTIAL!

### CO-WORKER'S MEDICAL RECORD



**SCENARIO:** YOUR CO-WORKER'S WIFE NOTIFIED YOU THAT YOUR CO-WORKER WAS RECENTLY ADMITTED TO THE ICU AND WON'T BE COMING INTO WORK. YOU LIKE TO KNOW HOW HE'S DOING. CAN YOU ACCESS HIS RECORD TO CHECK HIS CONDITION?

**THE ANSWER IS NO! THIS IS A PRIVACY VIOLATION!**

**CORRECTION:** IT IS NOT PART OF YOUR JOB. YOUR ACCESS TO YOUR CO-WORKER'S RECORD WOULD BE FOR PERSONAL REASONS. THEREFORE, ACCESSING THE RECORD WILL BE A VIOLATION OF YOUR CO-WORKER'S PRIVACY. THERE WOULD BE SERIOUS CONSEQUENCES TO YOUR EMPLOYMENT.

### YOUR OWN MEDICAL RECORD



**SCENARIO:** YOU WERE RECENTLY INJURED ON YOUR JOB AND WERE SEEING IN THE ED DEPARTMENT. YOU NEED A COPY OF THE MEDICAL REPORT TO BE SUBMITTED TO YOUR INSURANCE COMPANY. SINCE YOU HAVE ACCESS TO LCR AND YOU ARE ACCESSING YOU OWN RECORDS, IS IT OKAY TO ACCESS YOUR OWN RECORD TO OBTAIN A COPY OF THE REPORT?

**THE ANSWER IS NO! THIS IS AGAINST HOSPITAL AND DPH POLICIES!**

**CORRECTION:** IT IS AGAINST DPH POLICY TO ACCESS YOUR OWN MEDICAL RECORDS. ALL MEDICAL RECORD REQUEST AND RELEASES NEEDS TO GO THROUGH MEDICAL RECORDS DEPARTMENT.



**STOP. THINK. PROTECT.**

### BEFORE YOU LOOK AT THE RECORD:

- YOU NEED TO KNOW THAT AUDITS ARE CONDUCTED ON THE RECORDS OF EMPLOYEES AND HIGH PROFILE PATIENTS WHO ARE ADMITTED TO THE HOSPITAL.
- AUDITS OF ACCESS ARE CONDUCTED REGULARLY ON THE LIFETIME CLINICAL RECORD (LCR). IF YOU ACCESS RECORDS FOR NON-BUSINESS PURPOSES, CORRECTIVE AND DISCIPLINARY ACTIONS MAY INCLUDE LOSS OF PRIVILEGES, IMPACT TO YOUR PROFESSIONAL LICENSE AND CAN LEAD UP TO TERMINATION OF EMPLOYMENT.

### IN THE PAST YEAR:

- **5 EMPLOYEES HAVE BEEN TERMINATED** AS RESULT OF INAPPROPRIATE ACCESS TO PATIENT'S MEDICAL RECORDS
- LICENSING BOARDS WERE NOTIFIED OF THESE PRIVACY VIOLATIONS

### HIPAA PENALTIES & CRIMINAL PENALTIES:

A PENALTIES FINE UP TO \$250,000 AND/OR IMPRISONMENT UP TO 10 YEARS.

REPORT A PRIVACY BREACH:



- PRIVACY OFFICER: MAGGIE RYKOWSKI (415) 206-4294
- PRIVACY HOTLINE: (415) 206-2354
- EMAIL CONTACTS: [MAGGIE.RYKOWSKI@SFDPH.ORG](mailto:MAGGIE.RYKOWSKI@SFDPH.ORG) OR [SUNA@SFGHDEAN.UCSF.EDU](mailto:SUNA@SFGHDEAN.UCSF.EDU)
- [REFERENCE TO REPORTING A PRIVACY BREACH POLICY \[#8.27\]](#)