### The Minimum Necessary Standard

The Department of Public Health makes reasonable efforts to ensure that the use or disclosure of Protected Health Information (PHI) is limited to the minimum necessary to carry out a specific job function.

### Helpful tips to comply with Minimum Necessary rule

When accessing or disclosing patient health information here are some helpful tips to comply with the law:

- Limit the amount of information accessed or disclosed to only the minimum necessary to complete the task.
  - **For example:** When an insurance company is inquiring about a patient’s lab date for payment purposes, provide only the date and not the lab results.

- Leave only your name and phone number on message machines when you are asking patients to call you back.
  - **For example:** DO NOT disclose any details of the patient’s condition, test results, or health information on the answering machine unless authorized by the patient.

- When emailing always follow the minimum necessary rule.
  - **For example:** When sending PHI via email, only use your work email account and activate secure email by using **Secure:** in the subject line.
  - **DO NOT** put identifying information on the subject line.

### Disclosure for: Treatment Payment Operations

Exceptions to the Minimum Necessary Rule. Providers may use or disclose PHI, without patient authorization, what HIPAA calls “Treatment, Payment, and Health care Operations” (TPO).

- **“Treatment”** means providing, coordinating, or managing a patient’s care, including consultation among providers and discussions regarding referrals.

- **“Payment”** is defined as activities related to paying or being paid for services rendered. These include eligibility and coverage determinations, billing, claims management, and utilization review.

- **“Operations”** covers a broad range of activities such as quality assessment and improvement, patient education and training, medical review, legal services, and auditing functions.

**Do not** share or release more information than requested for purposes of TPO. Refer to DPH Privacy Policy.

### Disclosure directly to the patient

The patient has the right to obtain a copy of his or her medical information upon the individual’s request.

- **Verify** the identity of the person requesting the record and obtain a signed authorization. Or

- **Refer** medical record request to the Site Medical Records Department

Sensitive Medical information (such as mental health or substance abuse) **MAY NOT** be released without patient’s authorization.

Access to PHI policy must be followed. Refer to HIPAA Compliance: Patient/Client Resident Rights Regarding PHI and your site’s policy.

### Report a Privacy Breach:

**Report every potential breach of Protected Health Information (PHI):**

- Privacy Officer: Report to Site Privacy Officer
- Privacy Hotline: (855) 729-6040
- Email: compliance.privacy@sfdph.org
- Refer to **Potential Breach Notification Form**

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