

Health Information Compliance Alert

Privacy Compliance: The Right Way To Handle Patients' Confidential Communications Requests

4 steps to guarantee your staff doesn't spill the beans.

The Privacy Rule mandates that you accept patients' requests for special communications, but it doesn't tell you how you should do it. Here's some helpful advice from Eli's experts to kick start your confidential communications request process.

1. Start At Registration. You don't have to ask each patient how they'd like you to communicate with them, advises **Becky Buegel**, privacy officer and director of health information management at **Casa Grande Regional Medical Center** in Casa Grande, AZ. "Asking every patient could open up a huge can of worms, because most patients haven't considered this option" and don't have the time to think through it, she says.

However, "if you ask the patient and get their request upfront, you're in a better position to protect their privacy and avoid patients' complaints," counsels **Kelley Meeusen**, privacy officer for **Harrison Hospital** in Bremerton, WA.

Tip: If you decide to ask patients how they'd like you to contact them, you can build your questions into your standard registration system, Meeusen says. Strategy:

Tell your registration staff to ask patients these questions:

- Is this your home number?
- Do you want calls to come to another number?
- Is this your home address?
- What address do you want your bill sent to?
- Can we leave messages on your answering machine?
- How would you prefer us to communicate with you?

2. Get It In Writing. The privacy rule doesn't require you to get patients' requests in writing, but "it's better to have the written request to back up your communication choices," explains **John Gilliland**, an attorney with **Gilliland & Caudill** in Indianapolis, IN. And if a patient questions why you contacted him at a certain telephone number or address, you can show him exactly what he requested of you, Buegel notes.

Plan of action: Develop a form that allows patients to document their communication preferences (see related article in this issue), Buegel suggests. Important: Note on the form that patients' requests are not automatically followed and that they will be contacted with further information, she says.

3. Designate A Point Person. The privacy officer or another skilled staffer should make the call on which confidential communications requests to honor, Buegel says. Tip: If patients want to discuss their options and garner more information about confidential communications, the registration staff should call upon that point-person, she says.

"The registration staff already has enough to handle with fake names and addresses," Buegel explains. "The decision to honor a request for special communication shouldn't be made in the heat of battle," she says. Bonus: Asking the point-person to take over with the patient will keep the registration area from getting backed up while registrars explain the process, she adds.

4. Don't Separate The Patient From The Request. Unless your entire staff refers back to the medical record, they

won't know that the patient has requested special communications, experts warn. "Train your staff to look for a special request form before they contact a patient," Gilliland advises.

Tip: Put all your confidential communications requests into a computer database each staffer can access, Gilliland suggests. That way, your billing staff can get to that information without having to track down the chart, he says.

"We created a field in our health information management system to collect special communications requests," Meeusen shares. This allows patients' requests to follow them through the organization--from the exam room to radiology to the pharmacy, he says.

The bottom line. Before you approve or deny a patient's request for confidential communications, you have to decide how reasonable it is, Gilliland asserts. For example, "if a patient says 'Don't ever mail me a bill,' you can say 'I'm sorry--that won't work. You have to provide an address for us to bill you,'" he adds.