

Health Information Compliance Alert

Privacy Tool: Are You Protecting Your PHI In Emergencies? Decision Tool Helps You Find Out

Answer 3 questions and keep your emergency plan HIPAA compliant.

Were you aware that the U.S. **Department of Health and Human Services** (HHS) offers a Web-based interactive decision tool for emergency preparedness and recovery planners?

Check out the decision tool on OCR Web site at <http://www.hhs.gov/ocr/hipaa/decisiontool/EmergencyPrepDisclose.pdf>.

Compliance angle: The chart is designed to help providers use protected health information about disabled persons in a manner that accords with the 1996 HIPAA Privacy Rule.

The intended audience: All covered entities and emergency preparedness and recovery planners at the local, state and federal levels.

How it works: The decision tree guides you through a series of questions designed to help you apply the HIPAA Privacy Rule to particular disclosure(s). These questions are organized around three general questions:

1. Who is the source of the information to be disclosed?
2. To whom is the information being disclosed?
3. Is there a signed affidavit permitting the disclosure?

The tool also helps you determine your most relevant "emergency preparedness planning need" and then prompts you to click through a series of follow-up questions (which include questions about the purpose(s) disclosure might serve) that will help you decide whether or not the information may be disclosed.

Resource: To view the OCR's emergency preparedness Web site, see <http://www.hhs.gov/ocr/hipaa/emergencyPPR.html>.