

Health Information Compliance Alert

Reader Question: Does The Privacy Rule Really Allow Disclosures To Family And Friends?

Question: We often have patients' family members calling our hospital to ask how their loved one is doing. What are we really allowed to disclose under the HIPAA Privacy Rule?

Answer: What you can or cannot disclose to a patient's family member depends on whether the person calling has a role in taking care of the patient, according to the **American Medical Association** (AMA). Also, you need to take into account whether the physician believes, in his/her professional judgment, that releasing the patient's information to the family member is in the patient's best interest and relates to the family member's involvement in the patient's care.

"The Privacy Rule allows a physician to share a patient's information with the patient's family member or friend so long as the information is limited to information directly relevant to that person's involvement in the patient's care," the AMA says. "The physician should not share more information than the person needs to assist with the patient's care."

Example: A physician may tell a family member or friend living with the patient that he needs plenty of rest and lots of fluids, or that the patient needs to take a prescribed medication twice daily with food.

But don't share a patient's information with his family or friends if he has asked you not to or if the physician believes that a disclosure would be inappropriate, the AMA cautions.