

## Health Information Compliance Alert

### READER QUESTIONS: BE WARY OF TEEN PREGNANCIES

**Question:** A 16-year-old patient presented with flu-like symptoms. After running tests, we discovered that she was pregnant. She asked us not to share this news with her parents, but she used their insurance to pay for the visit. Can we withhold this information?

Ohio subscriber

**Answer:** "Whether a healthcare provider may share a minor's PHI with the minor's parents depends on state law," explains **Kristen Rosati**, an attorney with Coppersmith Gordon Schermer Owens & Nelson in Phoenix. "The HIPAA privacy rule defers to state law on this issue," she assures.

In some states, such as New York, health care providers can discuss treatment related to sexually transmitted diseases, pregnancy and abortion only with the patient, says **Keshia Thompson**, health care attorney for Ruskin Moscou Faltischek in Uniondale, NY. In contrast, other states require parental notification of pregnancy.

**The Bottom Line:** "If state law is silent on the issue, the HIPAA privacy rule gives [you] discretion to decide whether or not to release the minor's health information to the parents," Thompson says.