

Health Information Compliance Alert

READER QUESTIONS: HEAR TREATMENT TALK? SPILL THE PHI

Question: A speech therapist at the local elementary school sent us a request for information on one of our minor patients who is being considered for the speech therapy program. Do we need to obtain the parents' authorization to comply with this request?

Utah Subscriber

Answer: "No," says **Robert Markette**, an attorney with **Gilliland & Caudill** in Indianapolis. "As long as the request is so the speech therapist can treat the child, it is okay" to disclose the medical record without involving the parents, he clarifies.

Caution: The school's therapist may not be able to send information back to you without the parent's involvement due to the Family Educational Rights and Privacy Act (FERPA), Markette warns.

The bottom line: Cover all your bases and free up the flow of information between your facility and your patient's school by asking the parents to authorize the exchange, Markette suggests.