

## Health Information Compliance Alert

### READER QUESTIONS: STRATEGY HELPS PREVENT PHI LEAKS FROM CHARTS

**Question:** I work in a student health clinic for a major university and I have a question: Is it still permissible to leave a patient's chart on the bed or on the door outside an examination room (as has been standard practice), or does that technically violate HIPAA's Privacy Rule?

North Carolina Subscriber

**Answer:** Yes, it is permissible. According to the **U.S. Department of Health and Human Services**, the HIPAA Privacy Rule allows health care providers and other covered entities to engage in "common and important health care practices," and does not offer specifics regarding procedures that must be applied/prohibited in carrying out said practices

**Vital:** Doctors say that one thing you can and should always do is place charts in their holders so the side with identifying information is facing the wall/door. This measure will help prevent random people from seeing the information as they pass. You can also opt to limit access to areas where patient information might be sitting out or to have non-employees escorted through such areas.

**The bottom line:** Covered entities, as always, are required to do whatever is reasonably possible to protect a patient's private health information; thus, covered entities should be careful when determining when, how, and with whom they restrict or disclose patient information.

The Privacy Rule leaves some room for providers to tailor their compliance efforts so they are doing what is financially and/or practically feasible for their offices, but the goal is always to limit "incidental disclosures" that would make it easy for the public to come across private information.