

UNIVERSITY OF FLORIDA
INFORMATION PRIVACY POLICIES & PROCEDURES
PRIVACY MANAGEMENT

HIPAA: Responding to a Request for More Confidential Communications

POLICY

03/28/2003

1. Patients and personal representatives are permitted to request to receive written communications (reports, bills, etc.) in an alternative manner or location. Requests should be in writing and addressed to the Privacy Officer. The University of Florida is not obligated to agree to these requests, but will review all requests and respond to the patient in writing within a reasonable period of time
 - a. Requests of this type do not include routine changes of address, but refer to extraordinary requests requiring special arrangements outside the normal course of business.
 - b. The University of Florida will accommodate or deny the patient's request based on:
 - 1) The ability of the University of Florida to consistently accommodate the request,
 - 2) Whether the patient can specify an alternative location or method of contact, and
 - 3) The potential impact of the change on the University's routine health care operations.
2. Only the Privacy Officer, in consultation with appropriate personnel representing the patient care area affected by such a request, may agree to requests for more confidential written communications. Requests that are agreed to by any other personnel will not be valid.
3. If the University of Florida agrees to any alternative communication method, it must adhere to the terms of the agreement until the agreement is terminated, either by the patient or the University. The designated management representative must ensure that all the records to which such agreements apply are appropriately flagged.

DEFINITIONS

Verbal Communications: Includes face-to-face conversations or telephone conversations.

Written Communications: Includes printed reports, bills, notifications, letters, copies of documents, or any other type of paper correspondence sent or delivered to the patient by any means.

PRIVACY REQUIREMENTS

1. The University of Florida must permit patients to request, and must accommodate reasonable requests, to receive communications of protected health information from the University by alternative means or at alternative locations.
2. The University of Florida may not require an explanation from the patient as to the basis for the request as a condition of providing the confidential communications.

PROCEDURES

1. All Requests for Special Privacy Protection forms should be fully completed before they are forwarded to the Privacy Office.
 - a. Review the completed Request form with the supervisor or Manager of the patient care area(s) affected to:

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- 1) Verify the alternative manner or location for communications,
 - 2) Determine if the request is reasonable, and
 - 3) Determine if the University of Florida is able to effectively and consistently accommodate the request.
 - b. Document the decision to grant or deny the request on a Response to Request for Special Privacy Protections form.
 - c. File the original Response form in the Privacy Office along with the original Request form.
 - 1) Send a copy of the Response to the requestor, or delegate this duty to a clinic manager or supervisor.
 - 2) Send a copy of the Response to the appropriate area to be filed in the patient's medical record.
2. Communication methods or locations agreed to by the University should be reviewed if the Privacy Officer is notified of problems that arise as a result of the agreement.
3. Document a change in, or the termination of, a communication agreement on a Termination of Special Privacy Protections form. File the original Termination form with the original Request and Response forms in the Privacy Office.
 - a. Send a copy of the Termination form to the patient.
 - b. Send a copy of the Termination of Special Privacy Protection form to the appropriate area to be filed in the patient's medical record.
 - c. Notify the managers or administrators of all patient care areas affected by the termination.
4. Retain all documentation for a period of at least six years after the date that it was last in effect.

REFERENCES

HIPAA Regulations: 45 CFR § 164.501 (Definitions); § 164.522 (Right to Request Privacy Protections)

EXHIBITS:

Form: Response to Request for Special Privacy Protections
Form: Termination of Special Privacy Restrictions