

UNIVERSITY OF FLORIDA
INFORMATION PRIVACY POLICIES & PROCEDURES
PRIVACY MANAGEMENT

HIPAA: Responding to a Request to Opt Out of Fundraising Communications

POLICY

Rev: 06/01/2005

Patients are permitted to either confirm their acceptance of, or “opt out” of, receiving fundraising solicitations and materials. The University will make reasonable efforts to ensure that individuals who request to opt out of receiving future fundraising communications are not sent such communications.

Entities involved in fundraising for the University ‘s Health Science Center must sign a statement annually attesting to compliance with HIPAA regulations.

DEFINITIONS

Fundraising: To solicit and acquire monetary and other resources for an institution or organization.

PRIVACY REQUIREMENTS

1. Patients are informed in the Notice of Privacy Practices of the University’s permitted use of limited health information for fundraising purposes, and of how the patient may “opt out” of receiving fundraising communications.
2. The University is required to make reasonable efforts to ensure that individuals who decide to opt out of receiving future fundraising communications are not sent such communications.

PROCEDURES

1. Ensure that the following elements are included in all fundraising materials sent to patients by the University of Florida:
 - a. A description of how the patient, by completing and signing an authorization, may give permission for the University to:
 - 1) Continue to send fundraising communications i.e., (to affirm in writing their wish to be included in future solicitations);
 - 2) Use or disclose protected health information for the purpose of fundraising.
 - b. A description of how the patient may “opt out” of receiving further such communications (i.e., to affirm in writing their wish to be excluded from further solicitations).
2. Add the patient’s name and identification information to the “Opt Out” log maintained in the Privacy Office.
3. Forward the patient’s request and information to the University of Florida Foundation, the Shands Privacy Office, and other fundraising entities of the HSC, as appropriate.
4. Maintain the patient’s original request in the Privacy Office for at least six years after it was last in effect, or the patient’s final episode of care, whichever is later.
5. The fundraising entity will provide and maintain Authorizations to Use or Disclose PHI for Fundraising, Marketing, or Public Relations (see Forms) from those persons who have specifically agreed to receive fundraising communications.
6. If the University discloses PHI while engaging in fund-raising on behalf of another entity, it must track such disclosures of PHI for disclosure accounting purposes. (See Accounting for Disclosures in this manual.)

REFERENCES

HIPAA Regulations: 45 CFR § 164.501 (Definitions); § 164.514(f)(1) (Other Requirements)

EXHIBITS: None