

UNIVERSITY OF FLORIDA
INFORMATION PRIVACY POLICIES & PROCEDURES
PRIVACY MANAGEMENT

HIPAA: Observing Patient Care or “Shadowing”

□ POLICY

Rev. 01/01/08

1. Any person, invited or otherwise authorized to enter University of Florida patient care areas or to view patient care in any location, who is not formally associated with the University’s Health Science Center shall be accompanied and/or supervised by a UF Health Science Center representative at all times.
2. Scope:
 - a. This policy includes, but is not limited to:
 - 1) Trade representatives,
 - 2) Maintenance technicians,
 - 3) Visiting health care professionals,
 - 4) Visiting students (including non-HSC UF students),
 - 5) Visiting family members of UF employees,
 - 6) Applicants for University of Florida positions,
 - 7) Any other similar persons or groups.
 - b. This policy does not include UF students who are enrolled in a UF Health Science Center College or Program, volunteers, patients, or family members or friends visiting or accompanying patients.
3. Faculty and staff who sponsor Observers assume full responsibility for the supervision of the Observers and agree to ensure that the Observers comply with all policies and procedures of the University of Florida and Shands HealthCare, if applicable, and all applicable state and federal laws and regulations while observing at the University of Florida.
4. If any Observer is under 18 years of age, written permission from the Observer’s parent or legal guardian to observe must be obtained and attached to this Request to Observe Patient Care.

NOTE: Observers under 18 years of age who are not enrolled in a University of Florida or affiliated student program are prohibited from observing or shadowing in direct patient care areas where protection of the patient’s physical privacy is generally expected.
5. Other Requirements: Observers staying for 15 days or more must present documentation of appropriate vaccinations (check with the College being visited for specific requirements), and training in basic Infection Control, prior to entering patient care areas.

□ DEFINITIONS

“Shadowing” or Observing: means, for the purposes of this policy and procedure, the extra-curricular observation of patient care or procedures that is outside the scope of a student’s required course work, or of a health care professional’s job duties.

□ PRIVACY REQUIREMENTS

1. *Limited Access:* Access to PHI in any format must be limited to those persons who have a valid business or medical need for the information, or otherwise have a right to know the information.
2. *Security:* All protected health information created, received, or maintained by the University must be secured from unauthorized access at all times, to protect the information from damage, loss, alteration, and tampering. (See also Security: Privacy Safeguards)

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□ PROCEDURES

1. Visiting faculty and applicants for faculty positions who visit for less than two days are requested to review the UF Health Information Policy and sign the UF *Confidentiality Statement* prior to beginning activities with the University.
2. Applicants for residency and fellowship positions who visit for less than two days are required to complete the following steps prior to beginning activities with the University:
 - a. Complete the University of Florida’s online training tutorial: *HIPAA at UF: Patient Privacy & Security for Visitors* (using UF ID# 8888-####), and print a certificate;
 - b. Review the Health Information Policy and sign the UF *Confidentiality Statement*.
3. Other individual visitors and students who wish to observe patient care or “shadow” health care professionals in patient care areas must complete the following steps prior to beginning activities with the University. A **Request to Observe Patient Care** form is available to facilitate this process.
 - a. Make arrangements to be sponsored by a UF Health Science Center representative.
 - b. Obtain written permission from the Senior Associate Dean for Clinical Affairs, for the College of Medicine, or from the appropriate dean for all other Colleges;
 - c. For observation within Shands Healthcare System facilities, obtain written permission from the appropriate Shands Chief of Staff (Gainesville) or Vice President for Medical Affairs (Jacksonville).
 - d. Complete the University of Florida’s online training tutorial: *HIPAA at UF: Patient Privacy & Security for Visitors* (using UF ID# 8888-####), and print a certificate;
 - e. Review the Health Information Policy and sign the UF *Confidentiality Statement*.
 - f. Submit the completed Request to Observe Patient Care form and all attachments to the appropriate office as indicated at the bottom of the form.
4. For groups of visitors participating in scheduled teaching sessions that include proximate or remote viewing of operative procedures or other patient care activities:
 - a. The group’s University sponsor must complete a single **Request to Observe Patient Care** form for the group, following the procedure above, and submit it along with a **Group Observation Roster** listing all the proposed attendees.
 - b. The sponsor then ensures that the attendees:
 - 1) Complete the University of Florida’s online training tutorial: *HIPAA at UF: Patient Privacy & Security for Visitors* (using UF ID# 8888-####), and print a certificate;
 - 2) Review the Health Information Policy and sign the UF *Confidentiality Statement*
 - 3) Sign the roster when they attend the session.
 - c. The sponsor forwards the completed Group Observation Roster with signatures to the UF Privacy Office (Gainesville) or the Office of HIPAA Compliance (Jacksonville) after the teaching session.
5. If visitors will be in contact with individual patients, observing or remotely viewing patient care during their visit, the supervising University representative must offer each patient, or the patient’s legal representative, an opportunity to agree to the presence of the visitor or observer.
 - a. Such opportunity may be offered, and agreement or objection may be received verbally and documented in the patient’s medical record.

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- b. The patient may also sign an Authorization to Use or Disclose Protected Health Information. (See Forms on the Privacy website)
- c. If the patient has signed an informed consent for surgery or other procedure that includes consent for observers, then no further written or verbal authorizations are required.

REFERENCES:

HIPAA Regulations: 45 CFR § 164.501 (Definitions) § 164.514(d) (Minimum Necessary Rule) § 164.530 (Administrative Requirements) (b) (Training) and (e) (Sanctions)

Florida Administrative Code (Disciplinary Action): Rules 6C1-1.008, 6C1-3.046 and 7, 6C1-4.016, and 6C1-7.048

UF Policies: Acceptable Use Policy (Information Technology), Workplace Issues: Outside Employment Policy (Human Resources), Overview: Outside Activities, Financial Interests and Conflict of Interest (UF DDD Memorandum 02/07/01)

EXHIBITS

Request to Observe Patient Care (form)
Group Observation Roster (form)