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SECTION: HIPAA

AREA: HIPAA PRIVACY/SECURITY POLICIES

SUBJECT: REQUEST FOR ALTERNATIVE METHOD OF COMMUNICATIONS OF PROTECTED HEALTH INFORMATION

PURPOSE

To establish an avenue for patients at the University of Arkansas for Medical Sciences (“UAMS”) to request alternative methods of communications of Protected Health Information (“PHI”).

SCOPE

The UAMS Workforce.

DEFINITIONS

Legal Representative shall mean the person authorized by law to act on behalf of the patient, such as the parent of a minor, a court-appointed guardian or a person appointed by the patient in a Power of Attorney document.

Protected Health Information (“PHI”) shall mean information that is part of an individual’s health information that identifies the individual or there is a reasonable basis to believe the information could be used to identify the individual, including demographic information, and that (i) relates to the past, present or future physical or mental health or condition of the individual; (ii) relates to the provision of health care services to the individual; or (iii) relates to the past, present, or future payment for the provision of health care services to an individual. This includes PHI which is recorded or transmitted in any form or medium (verbally, in writing, or electronically). PHI excludes health information maintained in educational records covered by the federal Family Educational Rights Privacy Act, health information about UAMS employees maintained by UAMS in its role as an employer and health information regarding a person who has been deceased for more than 50 years.

UAMS Workforce shall mean physicians, employees, volunteers, resident/fellows, students, and other persons whose work is under the direct control of UAMS, whether or not they are paid by UAMS.

Go to the UAMS HIPAA Office website at hipaa.uams.edu to access any other terms or definitions referenced in this policy.

POLICY

All patients or patients’ Legal Representatives may request UAMS to use alternative methods of communication, or alternative locations to receive communications or any other information from UAMS, containing the patient’s PHI. UAMS will honor requests which UAMS determines to be

reasonable, and UAMS does not require the patient to provide an explanation or reason for such request. If necessary, UAMS will require the patient to identify how payments will be made.

PROCEDURE

1. For patients registered in Epic, the procedure for implementing this policy can be found in UAMS Medical Center Policy PS.2.10, *Request for Alternative Method of Communications of Protected Health Information*.
2. Individual departments, divisions, or other UAMS components not utilizing Epic will develop specific procedures and processes their department or division will follow to implement this Policy.
3. If the patient can not be located by the alternative method requested, any available contact information may be used to locate the patient in the event that
 - i. UAMS determines there is a medical emergency or similar situation where the patient's health may be at risk if they are not contacted immediately; or
 - ii. The patient has not provided adequate information on how payment will be made.

EXAMPLES

Examples of requests include, but are not limited to, the following:

1. Patient may request to receive mail from UAMS containing the patient's PHI at a work address instead of a home address.
2. Legal guardian of an elderly patient may request communications from UAMS be sent to the legal guardian instead of the elderly patient. Legal guardian must provide court order appointing them as the legal guardian if one is not already in the patient's record for review and verification.
3. Patient may request telephone communications be limited to their home number.

SANCTIONS

Violation of this Policy will result in disciplinary action, in accordance with Administrative Guide Policy 4.4.02, *Employee Discipline* and Administrative Guide Policy 2.1.42, *HIPAA Sanctions Policy*.

Signature: 

Date: August 9, 2022