

Sample Policy: Protecting Patient Privacy from Outside Callers

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Background: It is customary for family members, legal guardians, and friends of patients at [name of hospital] to telephone the hospital, inquire in person about the condition of a patient, or to request other health information. Privacy regulations require that a patient's identity or other protected healthcare information not be released without his or her specific consent or authorization. It is therefore necessary to define a process whereby authorized access to this information can be verified.

Scope: Central access, registration personnel, switchboard, patient financial office, and care area personnel (inpatient and ambulatory).

Policy: It is the policy of [name of hospital] to verify through a system of identification all individuals who have authorized access to information about the status of a patient in our care **prior** to releasing any information about the patient, including whether the patient is even in our facility. This system will define the required procedure for all staff to follow to ensure that a patient's confidentiality is maintained while still allowing for families, legal guardians, or friends to receive updated information on the patient's condition.

Inpatient Procedure:

1. At the time of admission, each patient is assigned an account number by either central access or registration. This number is provided to all patients and their parents and/or legal guardian.
2. Only parents or legal guardians who can verify their name, relationship to the patient, and the last three digits of this account number will be given information regarding the patient.
3. Patients and their family members will be instructed at registration that only parents or legal guardians who are able to produce this number will be given information about the patient. If only one parent is present at registration, the parent will be encouraged to give the account number to the absent parent. In addition, they will be instructed that they are responsible for whom they give this number to and that hospital staff will do no additional verification. No information of any kind will be given to anyone without this number. Family members and friends will be referred back to the parent or legal guardian for information regarding the patient.
4. When calls are received, visitors request information regarding a patient or requests are made to contact a patient directly, it is the responsibility of the individual handling the call or visitor to request the name of the individual and his or her relationship to the patient. If the individual is the parent or legal guardian, he or she will be asked to provide the last three digits of the identification number given at registration. This must be done before even confirming that a patient is in our facility. If the individual is not the parent or legal guardian, refer him or her to the parent or legal guardian.
5. If the visitor or caller is not the parent or legal guardian and is unable to provide the correct identification number, all requests for information should be denied by saying, "We are sorry, but we cannot confirm that this patient is in our care. Please contact the family for more information."
6. If a caller or visitor becomes upset with this response, refer the person to the team leader on the unit who will handle the incident according to established procedures or refer the caller to the patient advocate.

Ambulatory Procedure:

1. When calls are received requesting information regarding a patient, only parents or legal guardians who can verify the patient's full legal name and date of birth will be given information regarding the patient.

2. If the caller is not the patient or legal guardian, and is unable to provide the correct name and date of birth, all requests for information should be denied by saying, “We are sorry, but we cannot release information without the proper name and date of birth. Please contact the family for more information.”

3. If a caller or visitor becomes upset with this response, refer the person to the team leader on the unit.

Reporting Requirements: All staff members are required to report any violations of this policy to their supervisors who will then report it on the occurrence log.

Enforcement: Employees who violate this policy may be subject to disciplinary action.

This sample policy was developed by AHIMA for discussion purposes only. It should not be used without review by your organization's legal counsel to ensure compliance with local and state laws.

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