



 **Ochsner** | **LSU Health**
SHREVEPORT

HIPAA Privacy

The HIPAA Privacy Rule:

- Provides the comprehensive federal protection for the privacy of health information.
- Controls the internal and external use and disclosure of patient information.
- Creates individual rights for patients regarding the content and use of their health information.

Minimum Necessary

- The **Minimum Necessary Standard** is a core principle of HIPAA privacy protections.
- When using or disclosing protected health information, Ochsner LSU Health and its employees must take reasonable steps to limit use of PHI to the minimum necessary to accomplish the intended purpose.
- When using or accessing patient information, ask yourself:
 - Do I have permission to access this information?
 - Do I need this information to perform my job?
 - What exact information do I need to perform my job?
 - Is it necessary that I discuss this information with a co-worker?

Permitted Uses and Disclosures

Permitted uses and disclosures of PHI include:

- To the individual
- Internally for treatment, payment and operational functions;
- To a Business Associate as permitted by a signed business associate agreement outlining the terms of the use and/or disclosure;
- Disclosures to family and other caregivers, provided the individual has been given the opportunity to opt out of allowing such disclosures; and
- For law enforcement purposes.

Most other purposes will require a valid authorization signed by the patient

Patients' Individual Rights

- Patients have certain rights with respect to their health information:
 - To receive a Notice of Privacy Practices
 - To access to their health information
 - To request an amendment to their health information
 - To receive an accounting of disclosures of their PHI
 - To restrict how Ochsner LSU Health may use or disclose their PHI
 - To request confidential communications regarding their PHI

We Need Your Help to Protect our Patients' Privacy

Take reasonable precautions to protect a patient's privacy when discussing their health information. For example:

- Refrain from discussing patient information with friends, family, or on social media.
- Use a cover sheet and confirm the fax number when faxing patient information.
- Speak in a quiet tone when discussing patient information in open areas.
- Lock computer workstations every time you leave your desk.
- Do not leave patient documents out in the open on your desk.
- Discarding papers in shred bins to ensure secure disposal.
- If you take patient documents outside of the building, please make sure they are secure.

Scenario 1

Sue overhears that her neighbor is a patient on one of our units. She decides to call her friend Amy, a nurse on that unit, to find out more information about her neighbor's visit and possible treatment.

- Should Sue have asked Amy about her neighbor's visit?

Scenario 1

Sue overhears that her neighbor is a patient on one of our units. She decides to call her friend Amy, a nurse on that unit, to find out more information about her neighbor's visit and possible treatment.

- Should Sue have asked Amy about her neighbor's visit?
 - Ⓒ **No.** Sue does not have a work-related reason to discuss her neighbor's diagnosis and care.
- Under what circumstances would it be appropriate for Sue to discuss her neighbor's care with Amy?

Scenario 1

Sue overhears that her neighbor is a patient on one of our units. She decides to call her friend Amy, a nurse on that unit, to find out more information about her neighbor's visit and possible treatment.

- Should Sue have asked Amy about her neighbor's visit?
 - ⊙ **No.** Sue does not have a work related reason to discuss her neighbor's diagnosis and care.
- Under what circumstances would it be appropriate for Sue to discuss her neighbor's care with Amy?
 - ⊙ If Sue and Amy were both involved in the patient's care, then they can discuss his diagnosis and treatment.

Scenario 2

Annie's co-workers find out that she was admitted to the hospital and released over the weekend. They take up a collection to send Annie some flowers. One of Annie's coworkers accesses Epic to find out her current address because she does not want to bother Annie at home.

- Should the coworker have used Epic to access Annie's home address?

Scenario 2

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- Should the coworker have used Epic to access Annie's home address? **No**
 - ⊙ Epic is an Ochsner LSU Health patient system and should not be used as an Ochsner LSU Health employee information system. Employees of Ochsner LSU Health should **not** access patient information without a **work related reason**. Sending a coworker flowers is a nice gesture, but Ochsner LSU Health patient systems should not be used in the process.

Scenario 3

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The Neurology Clinic receives a phone call from a patient's Primary Care Physician requesting the office notes from the Neurology visit. Can Ochsner LSU Health provide those notes to the patient's Primary Care Physician?

- Yes, if the requesting Primary Care Physician is a treating provider of the patient we may provide the physician's office with the Ochsner LSU Health office visit notes. HIPAA allows us to disclose patient information for treatment, payment or operational purposes.