

Section 6	Compliance Policies		- Effective
Subject 6.2	Privacy and Disclosure		- Revised
Policy 6.2.4	Use and Disclosure of PHI for Facility Directories	Compliance Office	- Reviewed - Author

Use and Disclosure of PHI for Facility Directories

Audience

The information in this document applies to all UTMB faculty, staff, students, volunteers, and any other contractors or agents granted access to Protected Health Information (PHI).

Policy

UTMB may use and disclose PHI related to Facility Directories without the written consent or authorization to release the information from the individual. However, the individual must be informed in advance of the use or disclosure and have the opportunity to agree, prohibit, or restrict the disclosure. UTMB may orally inform the individual of the permitted uses and disclosures and obtain the individual's agreement or objection to a use or disclosure permitted by this policy. UTMB faculty, staff and students must document the agreement, prohibition, or restriction in the medical record.

Use and Disclosure for Facility Directories

Except when an objection is expressed, UTMB may use the following portions of the patient's PHI to maintain a directory of individuals in its facility:

- a. The individual's name
- b. The individual's location in the facility
- c. The individual's condition described in general terms that do not communicate specific medical information about the individual; and (See policy on responding to public requests for patient status)
- d. The individual's religious affiliation

UTMB may disclose facility directory information, as listed above, to members of the clergy even if the clergy member does not inquire about an individual by name.

Disclosure of facility directory information, except for the individual's religious affiliation, may be provided to other persons who ask for the individual by name. However, UTMB has the right to withhold some portions of the patient's facility directory information if UTMB, based upon professional judgment, determines that withholding portions of the facility directory information is in the patient's best interest.

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Use and Disclosure of PHI for Facility Directories, *continued*

Opportunity to Object

UTMB must inform an individual of the information that may be included in UTMB’s facility directory and the persons to whom UTMB may disclose such information. However, if the individual objects to being included in the facility directory, UTMB must not include the patient’s information in the facility directory.

Emergency Circumstances

Emergency Circumstances: If the opportunity to object to being listed in the facility directory cannot practically be provided because of the individual’s incapacity or emergency treatment circumstance, UTMB may use or disclose some or all of the PHI for UTMB’s facility directory, if the disclosure is:

- consistent with a prior expressed preference of the individual, if any, is known to UTMB; or
 - in the individual’s best interest as determined by UTMB, and
 - in the exercise of professional judgment.
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Note

However, UTMB must inform the individual and provide an opportunity to object or agree to the uses or disclosures for the facility directory as expressed above when it becomes practical to do so.

Reference

45 C.F.R §510(a)
