

**OKALOOSA COUNTY
EMERGENCY MEDICAL SERVICES
STANDARD OPERATING PROCEDURE**

Title: HIPAA - Security, Levels of Access, Limiting Disclosure and Use of PHI
Policy: 119.00
Purpose: To outline levels of access to Protected Health Information (PHI) of various staff members of Okaloosa County Emergency Medical Services and to provide a policy and procedure on limiting access, disclosure, and use of PHI.

Policy:

Access to PHI is limited to the below-identified persons only, and to the identified PHI only, based on the Okaloosa County EMS’s reasonable determination of the persons or classes of persons who require PHI, and the nature of the health information they require, consistent with their job responsibilities.

Access to a patient’s entire file will not be allowed except when provided for in this and other policies and procedures and the justification.

Role Based Access

Job Title	Description of PHI to be Accessed	Conditions of Access to PHI
EMT	Intake forms from dispatch, patient care reports, other patient records from facilities	May access only as part of completion of a patient event and post-event activities and only while actually on duty
Paramedic	Intake forms from dispatch, patient care reports, other patient records from facilities	May access only as part of completions of a patient event and post-event activities and only while actually on duty
Billing Coordinator, Office Supervisor and Administrative Assistant	Intake forms from dispatch, patient care reports, billing claim forms, remittance advice statements, other patient records from facilities	May access only as part of duties to complete patient billing and follow up and only during actual work shift
Shift Captain	Intake forms from dispatch, patient care reports, other patient records from facilities	May access only as part of completion of a patient event and post-event activities, as well as for quality assurance checks and corrective counseling of staff
Dispatcher	Intake forms, preplanned CAD information on patient address	May access only as part of completion of an incident, from receipt of information necessary to dispatch a call, to the closing out of the incident and only while on duty
Shift Lieutenants	Intake forms from dispatch, patient care reports	May access only as a part of training and quality assurance activities. All individually identifiable patient information should be redacted prior to use in training and quality assurance activities
EMS Division Chief	Patient care reports, other patient records from facilities	May access only to the extent necessary to monitor compliance and to accomplish appropriate supervision and management of personnel

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Okaloosa County EMS Requests for PHI

If Okaloosa County EMS needs to request PHI from another health care provider on a routine or recurring basis, we must limit our requests to only the reasonably necessary information needed for the intended purpose, as described below. For requests not covered below, you must make this determination individually for each request and you should consult your supervisor for guidance. For example, if the request is non-recurring or non-routine, like making a request for documents via a subpoena, we must review and make sure our request covers

Holder of PHI	Purpose of Request	Information Reasonably Necessary to Accomplish Purpose
Skilled Nursing Facilities	To have adequate patient records to determine medical necessity for service and to properly bill for services provided	Patient face sheets, discharge summaries, Physician Certification Statements and Statements of Medical Necessity, Mobility Assessments
Hospitals	To have adequate patient records to determine medical necessity for service and to properly bill for services provided	Patient face sheets, discharge summaries, Physician Certification Statements and Statements of Medical Necessity, Mobility Assessments
Mutual Aid Ambulance or Paramedic Services	To have adequate patient records to conduct joint billing operations for patients mutually treated/transported by Okaloosa County EMS	Patient care reports

Incidental Disclosures

Okaloosa County EMS understands that there will be times when there are incidental disclosures about PHI in the context of caring for a patient. The privacy laws were not intended to impede common health care practices that are essential in providing health care to the individual. Incidental disclosures are inevitable, but these will typically occur in radio or face-to-face conversation between health care providers, or when patient care information in written or computer form is left out in the open for others to access or see.

The fundamental principle is that all staff needs to be sensitive about the importance of maintaining the confidence and security of all material we create or use that contains patient care information. Coworkers and other staff members should not have access to information that is not necessary for the staff to complete his or her job. For example, it is generally not appropriate for field personnel to have access to billing records of the patient.

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But all personnel must be sensitive to avoiding incidental disclosures to other health care providers and others who do not have a need to know the information. Pay attention to who is within earshot when you make verbal statements about a patient’s health information, and follow some of these common sense procedures for avoiding accidental or inadvertent disclosures:

Verbal Security:

Waiting or Public Areas: If patients are in waiting areas to discuss the service provided to them or to have billing questions answered, make sure that there are no other persons in the waiting area, or if so, bring the patient into a screened area before engaging in discussion.

Garage Areas: Staff members should be sensitive to the fact that members of the public and other agencies may be present in the garage and other easily accessible areas. Conversations about patients and their health care should not take place in areas where those without a need to know are present.

Other Areas: Staff members should only discuss patient care information with those who are involved in the care of the patient, regardless of your physical location. You should be sensitive to your level of voice and to the fact that others may be in the area when you are speaking. This approach is not meant to impede anyone’s ability to speak with other health care providers freely when engaged in the care of the patient. When it comes to treatment of the patient, you should be free to discuss all aspects of the patient’s medical condition treatment provided, and any of their health information you may have in your possession with others involved in the care of the patient.

Physical Security

Patient Care and Other Patient or Billing Records: Patient care reports should be stored in safe and secure areas. When any paper records concerning a patient are completed, they should not be left in open bins or on desktops or other surfaces. Only those with a need to have the information for the completion of their job duties should have access to any paper records.

Billing records, including all notes, remittance advices, charge slips or claim forms should not be left out in the open and should be stored in files or boxes that are secure and in an area with access limited to those who need access to the information for the completion of their job duties.

Computers and Entry Devices: Computer access terminals and other remote entry devices such as laptops should be kept secure. Access to any computer device should be by password only. Staff members should be sensitive to who may be in viewing range of the monitor screen and take simple steps to shield viewing of the screen by unauthorized persons. All remote devices should remain in the physical possession of the individual to who it is assigned at all times. See the Okaloosa County EMS Policy on Use of Computer Equipment and Information Systems.

Accountability and Compliance:

1. Any incidental disclosures about PHI will be reported to the Shift Commander as soon as possible.
2. After notification to Shift Commander, the crew involved, will write an incident report detailing who was involved in the incident, why the violation occurred, and what steps could have been taken to prevent future incidents.

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