

General Information

Policy Name:	Confidentiality & Privacy
Category:	Risk Management – Corporate Compliance
Applies To:	All Employees and Crouse Affiliates
Key Words:	Record, Access, PHI, Patient, Information, HIPAA
Associated Forms & Policies:	<u>Clinical Staff Members Treating Family Members or Self (P1286)</u> <u>Confidential Channel Communications Request Form (Doc #8614)</u>
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Policy

It is the policy of Crouse Hospital to protect and maintain the privacy and confidentiality of patient information and that all interactions with patients are strictly confidential. Such interactions include but are not limited to the medical record, billing information and verbal or written discussions about patients. The only exception to this policy is when Federal or State law specifically allows the release of such interactions.

Patients and other qualified persons have a right to access patient information under PHL §18. Section 18 contains the procedures for making records available and the conditions under which a provider can deny access.

Patients may also request to receive confidential channel communications from Crouse Hospital, either at alternative locations or by alternative means. Crouse Hospital must accommodate an individual's reasonable requests for such confidential communications (45 CFR 164.522 (b)). Such requests shall be submitted in writing.

Procedure

1. Each Crouse employee will be aware that they are not allowed to access the following information in the medical record unless necessary to perform their job duties (excluding their own health information).
 - a. Their own health information
 - b. Family member, friend or neighbor's health information
 - c. A co-worker's health information
 - d. Public/community leader

Note: Access includes, but is not limited to; reading and/or printing.

2. People affiliated with Crouse Hospital in whatever capacity, including but not limited to staff, physicians and vendors, are hereinafter termed "Crouse affiliates". Crouse affiliates shall have only that access to such interactions necessary to obtain the minimum information required to perform their authorized responsibilities.
3. Crouse affiliates are authorized to discuss patients only when acting in their professional capacities and only with those authorized to possess such information to fulfill their own authorized responsibilities. Such discussions must not occur in locations where unauthorized people may overhear including but not limited to the cafeteria, hospital elevators, public hallways and any public place outside Crouse Hospital.

4. The patient's bodily privacy, both auditory and visual, shall be respected as much as possible during all aspects of care. For example, bedside curtains must be pulled to obstruct unauthorized persons from viewing interactions and verbal communications must be quiet enough to reduce the chance of unauthorized people overhearing.
5. Crouse affiliates shall honor a patient's request not to speak with or be visited by anyone who is not authorized by Crouse to provide care to that patient.
6. Crouse affiliates shall honor a patient's request for anonymity when feasible.
7. Crouse affiliates shall not disclose and/or acknowledge the presence or non-presence of a patient in Addiction Treatment Services without written consent of that patient. For example, even a law enforcement officer with an arrest warrant may not be given any information regarding the presence or non-presence of a patient in Addiction Treatment Services.
8. A Crouse affiliate who is a relative or friend of a patient may provide non-interventional care, comfort care, assistance with activities of daily living, and emotional support and/or advocacy for that patient as long as such assistance is acceptable to the patient and does not jeopardize patient care.
9. No Crouse affiliate who is a relative or friend of a patient shall, except in an emergency, provide that patient any intervention or clinical procedure, which includes but is not limited to medicating, adjusting machinery, changing dressings, catheterizing and feeding through a tube. (Refer to Clinical Staff Members Treating Family Members or Self (P1286))
10. Crouse affiliates shall refer to the appropriate administrator all members of the press and governmental agencies (including the police) who are acting in their professional capacities, anyone seeking information about patients or Crouse Hospital, and anyone wanting to take pictures, videos or recordings within Crouse Hospital.
11. Crouse affiliates shall adhere to reasonable written requests by patients regarding alternative means or locations of communication regarding their medical treatment. Patients will be able to fill out the Confidential Channel Communications Request Form (Doc #8614) upon request. Should the request be unreasonable or beyond Crouse Hospital capabilities, the request may be denied.

References

Health Insurance Portability and Accountability Act of 1996 (HIPAA) Public Law 104–191, 110 Stat. 1936
PHL §18
45 CFR 164.522 (b)

Definitions

Crouse Affiliates: People affiliated with Crouse Hospital in any capacity, including but not limited to staff, physicians and vendors

Addendums, Diagrams & Illustrations

Not Applicable