



IDENT	CPL-002
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## CPL-002 Disclosure of Protected Health Information (PHI)

### 1. Purpose

The purpose of this policy is to establish administrative safeguards to preserve the privacy and confidentiality of Protected Health Information when responding to Requests for Protective Health Information.

### 2. Scope

This policy is limited in scope to requests for Protected Health Information in electronic or paper formats that originate from any requestor that does not maintain an agreement with VITL, and the request is unrelated to the operations of the Vermont Health Information Exchange ("VHIE").

### 3. Policy

It is the policy of Vermont Information Technology Leaders that all disclosures of Protected Health Information be performed in accordance with VITL's compliance with contractual restrictions, including business associate agreements, and Vermont and Federal laws, including all applicable HIPAA Regulations. Consistent with these, VITL is authorized to disclose PHI for Permitted Uses, including for treatment, payment, and healthcare operations and for public health purposes by authorized public health authorities. Within the scope of this policy disclosures of Protected Health Information will be made:

- Pursuant to a patient's direct request or authorization.
- Pursuant to a request for a Permitted Use under the VHIE policies and procedures; or
- As required by state or federal law to an authorized person.

Prior to any disclosure of Protected Health Information VITL must verify the identity of the requestor and the authority of that requestor to obtain access to the information.

If the request for information is submitted by an Individual's Personal Representative, then documentation establishing the relationship between the Personal Representative and subject of the request must be verified.

- If the Personal Representative is acting under a Power of Attorney, court appointed guardianship, executor of estate, or other similar authority, a photocopy or fax of the document establishing the relationship is acceptable.
- If the Personal Representative is acting on behalf of a minor to whom they are the parent, and there is no court appointed guardianship document, a written and signed attestation establishing the parent-child relationship is acceptable.

Requests for PHI will be tracked by the VITL Support Team under the direction of the Director of Technology in the MyVITL ticketing system. VITL will respond to requests, without unreasonable delay. Requests for electronic health information will be made in the manner requested or an alternative as set forth in the CPL-001 - Information Blocking Policy.

#### 4. References

This Policy is a component of the compliance policy framework, for additional information refer to CPL-001 Information Blocking Policy.



<https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/access/index.html> - This website redirects to an overview of HIPAA guidance provided by the department for Health and Human Services.

#### 5. Definitions

Refer to VITL's CPL-006 - Glossary of Information Blocking Terms document for definitions relating to this policy.

#### 6. Policy Review & Approval

VITL management performs periodic reviews of this policy as referenced by the next review date field above; based on this review, VITL management reserves the right to update this policy.

 _____ Policy Sponsor	04/05/2021 _____ Date
 _____ Approving Official	04/05/2021 _____ Date