



Oklahoma State University

Title: Adults and Emancipated Minors	Policy #: PRV-01.12
Category: HIPAA Compliance	Authority: 45 CFR HIPAA SECTION: § 164.502(g)(1)
Standard: Personal Representatives	Responsibility: Health Care Components
Effective Date: 4/14/2003	Page 1 of 1
Approved By: OSU Legal Counsel	Revised: 7/1/2013

PURPOSE:

The purpose is to identify how and who OSU must treat as a personal representative of the individual patient.

POLICY:

If under applicable law a person has authority to act on behalf of an individual who is an adult or an emancipated minor in making decisions related to health care, OSU must treat such person as a personal representative under the Privacy Rule, with respect to protected health information relevant to such personal representation. §164.502(g)(2)

PROCEDURE:

1. OSU will make all efforts to obtain:
 - a. Verbal confirmation from the patient when possible that the individual in question is a personal representative of the patient; or
 - b. Written confirmation from the patient when possible that the individual in question is a personal representative of the patient.
2. If the patient is unable to confirm in step 1, such as the patient is physically or mentally unable to do so, unconscious, or in an emergent situation, and is an adult or emancipated minor, OSU faculty and staff will question the possible personal representative in a friendly manner as if they were the patient, allowing all health care decisions to be made by the personal representative.
3. OSU staff shall document in the patient's chart the name and relation of all known personal representatives.