



Oklahoma State University

Title: Disclosures by Workforce Members Who Are Victims of a Crime	Policy #: PRV-01.17
Category: HIPAA Compliance	Authority: 45 CFR § HIPAA SECTION: 164.502(j)(2)
Standard: Disclosures by Whistleblowers and Workforce Member Crime Victims	Responsibility: Health Care Components
Effective Date: 4/14/2003	Page 1 of 2
Approved By: OSU Legal Counsel	Revised: 7/1/2013

PURPOSE:

To identify what constitutes a disclosure in relation to workforce members who are victims of a crime.

POLICY:

1. OSU is not considered to have violated the requirements of the Privacy Rule if a member of its workforce who is the victim of a criminal act discloses protected health information to a law enforcement official, provided that: §164.502(j)(2)
 - a. The protected health information disclosed is about the suspected perpetrator of the criminal act; and §164.502(j)(2)(i)
 - b. The protected health information disclosed is limited to the information listed in § 164.512(f)(2)(i) *Limited Information for Identification and Location Purposes*. §164.502(j)(2)(ii)

PROCEDURE:

OSU will address every disclosure with law enforcement individually to ensure the disclosure is part of a criminal investigation or to avert a serious or harmful threat to others.

OSU will only disclose the limited information as set forth by §164.512(f)(2)(i), which is:

- Name and Address
- Date and Place of Birth
- Social Security Number
- ABO Blood Type and rh Factor
- Type of Injury
- Date and Time of Treatment
- Date and time of death, if applicable
- A description of distinguishing physical characteristics, including height, weight, gender, race, hair and eye color, presence or absence of facial hair (beard or moustache), scars, and tattoos.

OSU will not disclose anything not listed above



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Any disclosure of protected health information not listed above will be considered an inappropriate disclosure and the breach notification rules would then apply.

REFERENCE:

SEC-01.03 Sanctions Policy