



Oklahoma State University

Title: Use and Disclosure for Facility Directories	Policy #: PRV-05.01
Category: HIPAA Compliance	Authority: 45 CFR § HIPAA SECTION: 164.510
Standard: Uses and Disclosures requiring an opportunity for the individual to agree or to object	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 types of uses and disclosures require the individual to agree or object.

POLICY:

OSU may use or disclose protected health information, provided that the individual is informed in advance of the use or disclosure and has the opportunity to agree to or prohibit or restrict the use or disclosure, in accordance with the applicable requirements of this policy. OSU may orally inform the individual of and obtain the individual's oral agreement or objection to a use or disclosure permitted by this policy. §164.510

Use and Disclosure for Facility Directories – Permitted Uses and Disclosure. Except when an objection is expressed in accordance with the Opportunity to Object and Emergency Circumstances section of this policy, OSU may: §164.510(a)(1)

1. Use the following protected health information to maintain a directory of individuals in its facility: §164.510(a)(1)(i)
 - a. The individual's name; §164.510(a)(1)(i)(A)
 - b. The individual's location in the facility; §164.510(a)(1)(i)(B)
 - c. The individual's condition described in general terms that does not communicate specific medical information about the individual; and §164.510(a)(1)(i)(C)
 - d. The individual's religious affiliation; and §164.510(a)(1)(i)(D)
2. Use or disclose for directory purposes such information: §164.510(a)(1)(ii)
 - a. To members of the clergy; or §164.510(a)(1)(ii)(A)
 - b. Except for religious affiliation, to other persons who ask for the individual by name. §164.510(a)(1)(ii)(B)

Opportunity to Object – An OSU provider must inform an individual of the protected health information that it may include in a directory and the persons to whom it may disclose such information (including disclosures to clergy of information regarding religious affiliation) and provide the individual with the opportunity to restrict or prohibit some or all of the uses or disclosures permitted by Use and Disclosure for Facility Directories section of this policy. §164.510(a)(2)



Oklahoma State University

Title: Use and Disclosure for Facility Directories	Policy #: PRV-05.01
Category: HIPAA Compliance	Authority: 45 CFR § HIPAA SECTION: 164.510
Standard: Uses and Disclosures requiring an opportunity for the individual to agree or to object	Responsibility: Health Care Components
Effective Date: 4/14/2003	Page 2 of 2
Approved By: OSU Legal Counsel	Revised: 7/1/2013

Emergency Circumstances - If the opportunity to object to uses or disclosures required by the Opportunity to Object section of this policy cannot practicably be provided because of the individual's incapacity or an emergency treatment circumstance, a OSU provider may use or disclose some or all of the protected health information permitted by the Use and disclosure for facility directories section of this policy for the facility's directory, if such disclosure is: *§164.510(a)(3)(i)*

1. Consistent with a prior expressed preference of the individual, if any, that is known to the OSU provider; and *§164.510(a)(3)(i)(A)*
2. In the individual's best interest as determined by the OSU health care provider, in the exercise of professional judgment. *§164.510(a)(3)(i)(B)*

The OSU health care provider must inform the individual and provide an opportunity to object to uses or disclosures for directory purposes as required by the Opportunity to Object section of this policy when it becomes practicable to do so. *§164.510(a)(3)(ii)*

PROCEDURE:

OSU does not actively keep a facility directory of patients that is more of a hospital function. However, it is OSU's practice to question any individual when seeking the whereabouts of a patient within the clinic system. If the individual is not already authorized, OSU will seek authorization from the patient, giving the patient an opportunity to agree or object.