



Oklahoma State University

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| Title: Fundraising Requirements | Policy #: PRV-07.06 |
| Category: HIPAA Compliance | Authority: 45 CFR § HIPAA SECTION: 164.514(f)(1) |
| Standard: Uses and Disclosures for Fundraising | Responsibility: Health Care Components |
| Effective Date: 4/14/2003 | Page 1 of 2 |
| Approved By: OSU Legal Counsel | Revised: 7/1/2013 |

PURPOSE:

Establish requirements on use and disclosure of PHI for fundraising

POLICY:

1. Subject to the conditions of paragraph (2) of this policy, OSU may use, or disclose to a business associate or to an institutionally related foundation, the following protected health information for the purpose of raising funds for its own benefit, without an authorization meeting the requirements of §164.508: §164.514(f)(1)
 - a. Demographic information relating to an individual, including name, address, other contact information, age, gender, and date of birth; §164.514(f)(1)(i)
 - b. Dates of health care provided to an individual; §164.514(f)(1)(ii)
 - c. Department of service information; §164.514(f)(1)(iii)
 - d. Treating physician; §164.514(f)(1)(iv)
 - e. Outcome information; and §164.514(f)(1)(v)
 - f. Health insurance status. §164.514(f)(1)(vi)
2. Fundraising Requirements –
 - a. OSU may not use or disclose protected health information for fundraising purposes as otherwise permitted by paragraph (1) of this policy unless a statement required by § 164.520(b)(1)(iii)(A) is included in OSU's notice of privacy practices. §164.514(f)(2)(i)
 - b. With each fundraising communication made to an individual under this paragraph, OSU must provide the individual with a clear and conspicuous opportunity to elect not to receive any further fundraising communications. The method for an individual to elect not to receive further fundraising communications may not cause the individual to incur an undue burden or more than a nominal cost. §164.514(f)(2)(ii)
 - c. OSU may not condition treatment or payment on the individual's choice with respect to the receipt of fundraising communications. §164.514(f)(2)(iii)
 - d. OSU may not make fundraising communications to an individual under this paragraph where the individual has elected not to receive such communications under paragraph (2)(b) of this policy. §164.514(f)(2)(iv)



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- e. OSU may provide an individual who has elected not to receive further fundraising communications with a method to opt back in to receive such communications.
§164.514(f)(2)(v)

PROCEDURE:

OSU does not actively use patient information for fundraising purposes.

The vast majority of all OSU fundraisers are from Alumni or current students or other areas within the University, non-healthcare related. If any such donor happens to be an OSU patient, they received the fundraiser material from some other source, not because of their patient information.

All fundraising materials directed to patients must indicate that a patient can opt out of participation by sending a letter to the HIPAA Compliance Office requesting such withdrawal. Any fundraising program must get the approval of the HIPAA Compliance Office prior to initiating any communication with patients of OSU.

Any fundraising requests sent out to OSU patients without the approval of the HIPAA Compliance Office will be deemed inappropriate and the offending OSU Agents will face sanctions.