



Oklahoma State University

Title: Confidential Communications Requirements	Policy #: PRV-09.03
Category: HIPAA Compliance	Authority: 45 CFR § HIPAA SECTION: 164.522(b)(1)
Standard: Confidential Communications Requirements	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 reasonable secure or confidential methods of communicating with individuals

POLICY:

1. OSU must permit individuals to request and must accommodate reasonable requests by individuals to receive communications of protected health information from their OSU provider by alternative means or at alternative locations. *§164.522(b)(1)(i)*
2. Conditions on Providing Confidential Communications – *§164.522(b)(2)*
 - a. OSU may require the individual to make a request for a confidential communication described in paragraph (1) of this policy in writing. *§164.522(b)(2)(i)*
 - b. OSU may condition the provision of a reasonable accommodation on: *§164.522(b)(2)(ii)*
 - i. When appropriate, information as to how payment, if any, will be handled; and *§164.522(b)(2)(ii)(A)*
 - ii. Specification of an alternative address or other method of contact. *§164.522(b)(2)(ii)(B)*
 - c. OSU may not require an explanation from the individual as to the basis for the request as a condition of providing communications on a confidential basis. *§164.522(b)(2)(iii)*
 - d. A health plan may require that a request contain a statement that disclosure of all or part of the information to which the request pertains could endanger the individual. *§164.522(b)(2)(iv)*

PROCEDURE:

1. OSU has the ability to communicate with patients via the following methods:
 - a. Telephone
 - b. Fax
 - c. Email
 - d. Standard Mail



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2. Unless requested by the individual, the default method of communication shall be by telephone. OSU shall still communicate via the other methods when appropriate, unless the individual requests otherwise.
 - a. Patient Financial Account statements shall always be sent via Standard First Class Mail. The individual does not have an option on how to receive such statements.
3. If an individual requests communication via Fax, the OSU agent shall:
 - a. Verify the fax number;
 - b. Verify the requestor's identity;
 - c. Use a fax cover sheet with a valid disclaimer. A template of a fax cover sheet may be found on the OSU HIPAA website.
4. If an individual requests that communication be via email only, OSU has two options:
 - a. By default, any protected health information sent in email will automatically be encrypted using OSU's email encryption software.
 - b. The individual may request to have their protected health information sent unencrypted\unsecurely.
 - i. If the individual requests the unsecure method, the OSU Agent shall document in the individual's Medical Record in a conspicuous place, an account note, or patient communication section of the Record of such request.
 - ii. To send the unencrypted email, the OSU agent just needs to send the email just like any other regular, non-encrypted email. The encryption software should detect any protected health information and then send an email to the sender/OSU agent asking to either send unencrypted or encrypted or not at all. The OSU agent needs to select send unencrypted.

REFERENCE:

§164.502(h)