Facsimile (Fax) Machine Security

When sending or receiving information via a fax machine, we need to ensure that security controls and best practices are implemented to protect the data. Information security and privacy in the health care environment is particularly held to high standards and regulations such as HIPAA and other federal and state laws. Be sure that you are in compliance with the UNC Health Care System (UNC HCS) fax policy and follow best practice guidelines.

1. Sensitive Protected Health Information (PHI) for which the law requires specific confidential protection includes the following:
   a) mental health records,
   b) drugs & alcohol abuse/treatment records,
   c) records pertaining to HIV/AIDS and other infectious diseases.
   d) Also included, per UNC Health Care System policies, are records pertaining to genetic testing.

Sensitive PHI, as listed above, should not be transmitted via fax unless one of the following exceptions applies:

   a) cases where the information is transmitted via an approved auto-fax method;
   b) if PHI is needed urgently to treat a patient;
   c) when the PHI is required by a third-party payer for ongoing certification of payment for a hospitalized patient.
   d) sensitive PHI and other confidential information may be sent via fax between departments or sections within the UNC HCS when necessary and procedures comply with the UNC Health Care System Fax Policy.

When faxing sensitive information manually, as described in (b) and (c), the sender must call to verify the fax number prior to faxing the information and call after faxing to ensure that the fax was received.

2. Limit confidential information contained in the fax to the minimum necessary to accomplish the purpose of the communication.

3. If using a fax machine other than the Hospital auto-fax system, ensure the fax machine device is located in a physically secure area.

4. Take reasonable precautions to ensure that the intended recipient is either available to receive the fax as it arrives or has exclusive access to the transmitted document on the fax machine.
5. Pre-program frequently used fax numbers to minimize potential for misdirected faxes and confirm pre-programmed numbers at least once a year.

6. If there is any reason to question the accuracy of a fax number, contact the recipient to confirm the number prior to faxing.

7. When faxing, use fax cover sheets that include the following information:
   a) Sender's name, department/facility, telephone and fax number
   b) Date and time of transmission
   c) Number of pages being faxed including cover sheet
   d) Intended recipient's name, department/facility, telephone and fax number
   e) Name and number to call to report a transmittal problem or to inform of a misdirected fax
   f) Confidentiality notice

8. Do not include confidential information on the fax cover sheet.

9. If notified of a misdirected fax, instruct the unintended recipient to contact the sender immediately to arrange to return the information by mail or destroy the information by shredding.

10. Review your fax machine's transmission and reception audit reports to detect unauthorized or inappropriate use.

Please review the UNC Health Care System Fax Policy for further details.

When faxing, be aware that you are responsible for protecting sensitive information. Unauthorized use or release of sensitive information may subject the violator to personal, civil, and/or criminal liability and legal penalties. Violations may constitute grounds for corrective action up to and including termination of employment or student status, loss of UNC Health Care and UNC School of Medicine privileges or contractual or affiliation rights in accordance with applicable UNC Health Care procedures.