

 <small>*Excludes Rex Healthcare</small>	Name of Policy	Facsimile Transmission and Receipt of Protected Health Information (PHI) and Other Confidential Information
	Policy Number	F-1
	Date This Version of Policy Effective	January 2005
	Department Responsible for Review	Medical/Health Information Management

POLICY:

The University of North Carolina Health Care System (UNC HCS) recognizes its obligation to safeguard protected health information (PHI) and other confidential information (including information about employees) against disclosure or use by unauthorized individuals. This policy and procedure outlines the use and control of faxing PHI and other confidential information.

PROCEDURE:

I. General

- A. If mail-delivered copies cannot be received in a timely manner to meet the needs of patient care, PHI may be faxed to facilitate patient care for treatment, payment or health care operations purposes.
- B. Generally, routine disclosure of PHI at the request of insurance companies, attorneys, and other non-immediate patient care purposes must be referred to Release of Medical Information in the Medical/Health Information Management Department. Under certain circumstances, limited PHI may be faxed by clinical or other appropriate departments to insurance companies as required for ongoing certification of payment for a hospitalized patient.
- C. Due to the potential for keying errors, sensitive PHI for which the law requires specific confidential protection (such as mental health, drugs & alcohol, HIV/AIDS, or other infectious diseases, including, per the UNC HCS policies, genetic testing) should not be transmitted via fax.
Exceptions: (a) cases where the information is transmitted via an approved auto-fax method; (b) PHI needed urgently to treat a patient; (c) or when the PHI is required by a third-party payer for ongoing certification of payment for a hospitalized patient. 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 after faxing to ensure that the fax was received.
- D. PHI and other confidential information may be sent via fax between departments or sections within the UNC HCS when necessary and should

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be accomplished according to the procedures and guidelines outlined in this policy.

- E. Departments wishing to implement/establish computerized fax transmission of PHI (auto-fax), other than the approved method via the institutional fax server, must submit a request to Medical/Health Information Management Department and show evidence of compliance with all auto-fax checklist items. Departments using auto-fax are required to implement a procedure that checks the validity of all fax numbers at least once per year.
- F. For transmissions of other confidential employee information outside the UNC HCS, only that specific information which is considered "public" information under Section 126 of the State Personnel Act is allowed to be transmitted. If there is any question as to what this constitutes, please contact the Personnel Action Request Management (PARM) Office at 966-3056 for clarification.
- G. In all cases, UNC HCS policies and procedures regarding appropriate release of information must be followed.
- H. User IDs and passwords to UNC HCS systems must not be sent via fax. Alternate appropriate methods should be used.

II. PHI and Confidential Information Guidelines

- A. Fax machines should be located in non-public areas where access by unauthorized persons is limited.
- B. Specific staff members should be designated to receive incoming confidential documents, to remove these documents promptly, to examine them to assure receipt of all pages in a legible format and to direct them to the appropriate individual/area.
- C. Destination numbers should be pre-programmed into fax machines and labeled, if possible, to eliminate errors in transmission from misdialing.
- D. A cover page must accompany all fax transmissions and include the following minimum information:
 - 1. Sender's Name
 - 2. Sender's Department
 - 3. Sender's Contact Information (Phone, etc.)
 - 4. Intended recipient's name
 - 5. Intended recipient's phone number
 - 6. Number of pages in fax transmission
 - 7. The standard "Confidentiality Notice" below:

Confidentiality Notice

The documents accompanying this facsimile transmission contain confidential information which is legally privileged and which belongs to the sender. This information is intended only for the use of the individual or entity named above. The authorized recipient of this information is prohibited from

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disclosing this information to any other party. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you received this facsimile transmission in error, please notify the sender immediately to arrange for return or destruction of these documents.

III. Transmitting PHI

- A. Fax transmission of PHI external to UNC HCS and School of Medicine should be limited to immediate patient care needs i.e. patient admitted to another facility/hospital, patient scheduled for clinic visit, referring or consulting physicians (should be identified in the medical record or WebCIS), patient being seen in follow-up by local or primary care physician, and third party payers for continued hospitalization.
- B. If the requester states that the information was not received following transmission, verify the fax number and fax the information again. If the information was found to be faxed to an incorrect number, an incident report is completed with the information that was faxed and the number that the information was inappropriately faxed to and forwarded to Risk Management.
- C. Documentation of what is released including the date and to whom it is released should be documented on the faxed request and filed in the correspondence section of the medical record along with the signed authorization form.
- D. The use of fax to transmit physicians' orders is permissible and must include patient name and medical record number. If the ordering physician prior to transmission signs the order, it does not need to be countersigned at a later date. If the order is not signed prior to transmission, it must be countersigned according to Hospitals' Medical Staff Rules and Regulations regarding verbal orders.

IV. Receiving PHI

- A. Remove faxes from the tray as soon as possible.
- B. Assure that the number of pages received matches what was indicated on the fax cover letter and follow any instructions for verifying receipt of documents.
- C. If PHI was received in error, call the sender to notify them of the error and as agreed upon by you and the sender either forward the information to the intended recipient, destroy the information, or return information back to the sender via mail.
- D. PHI received by fax transmission is acceptable for inclusion in the medical record under the correspondence divider. If the document is on thermal paper, a photocopy of the document should be placed in

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the record to avoid the fading that may occur over time with thermal paper.

- E. In most instances, faxed copies of complete Authorizations or other documentation are acceptable in lieu of an original document.