Use and Disclosure of PHI for Specialized Government Functions

APPLICABILITY:

This policy applies to the following entities (collectively referred to as "UNC Health Care System" or "UNCHCS" in this policy):

- UNC Health Care System/UNC Medical Center*
- UNC Physicians Network
- UNC Physicians Network Group Practices
- Rex Healthcare / Rex Hospital
- Chatham Hospital
- Caldwell Memorial Hospital
- UNC Rockingham Health Care / UNC Rockingham Hospital
- Johnston Health
- Lenoir Memorial Hospital
- Margaret R. Pardee Memorial Hospital
- Nash Healthcare System / Nash Hospitals
- Wayne UNC Health Care

*UNC Medical Center includes all UNC Hospitals' facilities and the clinical patient care programs of the School of Medicine UNC-Chapel Hill (including UNC faculty physicians).

I. Description

It is the policy of UNCHCS to permit the use and disclosure of PHI for specialized government functions including military and veterans’ activities, national security and intelligence activity, protected services for the President and others, medical suitability determinations, correctional institutions and other law enforcement custodial situations, and government programs providing public benefits.

Included within the scope of this policy are the patient care programs of the UNC School of Medicine (UNC SOM). As a result, this policy shall apply to all UNC SOM personnel, including but not limited to faculty, staff, students, trainees, interns and volunteers who may be full-time, part-time, paid or unpaid who create, store, transmit, access or use any patient information in support of clinical purposes for UNCHCS or any other healthcare entity.
II. Policy

A. Armed Forces Personnel. UNCHCS may use and disclose PHI of individuals who are armed forces personnel for activities deemed necessary by appropriate military command authorities to assure proper execution of a military mission. Prior to use or disclosure, the appropriate military authority must have published by notice in the Federal Register the appropriate military command authority and the purposes for which the PHI may be used or disclosed.

B. Foreign Military Personnel. UNCHCS may use and disclose PHI of individuals who are foreign military personnel to their appropriate foreign military authority for the same purposes for which uses and disclosures are permitted for Armed Forces personnel under the notice published in the Federal Register outlined above under the section entitled "Armed Forces Personnel."

C. National Security and Intelligence Activities. UNCHCS may disclose PHI to authorized federal officials for the conduct of lawful intelligence, counter-intelligence, and other national security activities authorized by the National Security Act and implementing authority.

D. Protective Services for the President and Others. UNCHCS may disclose PHI to authorized federal officials for the provision of protective services to the President of the United States or other authorized persons, authorized foreign heads-of-state, or for the conduct of authorized investigations.

E. Permitted Disclosures - Inmates. See UNCHCS Release of PHI to Law Enforcement Officers Policy for information about the disclosure of PHI of an inmate or person in custody of a correctional institution or a law enforcement official having lawful custody of an inmate.

III. Definitions

None

IV. References

45 C.F.R. § 164.512(k)

V. Related Policies/Forms

UNCHCS Release of PHI to Law Enforcement Officers

Attachments: No Attachments

Approval Signatures

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<td>Jerylyn Williams: VP Chief Audit &amp; Comp Officer</td>
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<td>SYSTEM Site Administrator</td>
<td>Emilie Hendee: HCS-Sr Attorney</td>
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<td>David Behinfar: HCS-Privacy Dir</td>
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Applicability

Caldwell Memorial Hospital, Chatham Hospital, Johnston Health, Nash Health Care, UNC Health Care System, UNC Lenoir Health Care, UNC Medical Center, UNC Physicians Network, UNC Rex Healthcare, UNC Rockingham Health Care, Wayne Memorial Hospital