I. Description

UNCHCS shall limit the use and disclosure of PHI disclosed for fundraising activities in accordance with this policy.

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. Access, Use and Disclosure of PHI for Fundraising WITHOUT Patient Authorization. A UNCHCS Facility may access, use and disclose PHI to a business associate or an institutionally related foundation the following PHI without patient authorization for the purposes of fundraising:

1. Demographic information relating to an individual (including name, address, other contact information, age and gender)
2. Date of birth;
3. Dates of health care provided to an individual;
4. Department of service information (e.g., cardiology, oncology, pediatrics, etc.);
5. Treating physician;
6. Outcome information (including death or sub-optimal treatment); and
7. Health insurance status.

B. Access, Use and Disclosure of PHI for Fundraising WITH Patient Authorization. Any PHI other than what is listed in section II paragraph A above may only be accessed, used and disclosed with the written authorization of the individual. Such authorization shall be made using the UNCHCS Use and Disclosure of PHI for Fundraising Form.

C. Opt-outs Required for All Fundraising Communications. All fundraising communications (verbal and written) shall provide the recipient the right to "opt out" of receiving any further fundraising communications.

1. Written. Written fundraising materials sent out to individuals must include a clear and conspicuous written description of how the individual may opt out of receiving any further fundraising communications.
2. Verbal. Verbal fundraising requests must include a statement made by the development officer (or other individual making the fundraising communication) of the right of the prospective donor to opt-out of further communications.
3. Opt-out. The process by which a prospective donor may opt out may be tailored to a specific fundraising campaign or may be broadly drafted to apply to numerous fundraising communications.
   a. No or Nominal Cost to Individual. The opt-out mechanism may not cause the individual an undue burden or impose more than a nominal cost.
   b. Opt-out Database. UNCHCS Facilities shall ensure that individuals who decide to opt out of receiving future fundraising communications are not sent such communications in the future. An opt-out database must be maintained and each and every fundraising campaign must be checked against the opt-out database to ensure that fundraising communications are not sent to individuals who have opted out of receiving fundraising communications.

III. Definitions

None

IV. References

45 C.F.R. § 164.514(e)
V. Related Policies/Forms

Contact the UNCHCS Privacy Office for Fundraising Guidelines - available to fundraising components and personnel affiliated with UNCHCS

Attachments:

No Attachments

Approval Signatures

<table>
<thead>
<tr>
<th>Step Description</th>
<th>Approver</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jerylyn Williams: VP Chief Audit &amp; Comp Officer</td>
<td>01/2019</td>
<td></td>
</tr>
<tr>
<td>SYSTEM Site Administrator</td>
<td>Emilie Hendee: HCS-Sr Attorney</td>
<td>01/2019</td>
</tr>
<tr>
<td></td>
<td>David Behinfar: HCS-Privacy Dir</td>
<td>01/2019</td>
</tr>
</tbody>
</table>

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