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**Owner:** *David Behinfar: HCS Exec Dir Privacy*  
**Policy Area:** *HIPAA - Privacy*  
**Policy Tag Groups:**  
**Applicability:** *UNCHCS - All except Pardee*

## Use and Disclosure of PHI for Specialized Government Functions

### APPLICABILITY:

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

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

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

## I. Description

It is the policy of UNC Health to permit the use and disclosure of protected health information (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 UNC Health or any other healthcare entity.

## II. Policy

- A. **Armed Forces Personnel.** UNC Health 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.** UNC Health 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.** UNC Health 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.** UNC Health 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 UNC Health [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

UNC Health [Release of PHI to Law Enforcement Officers](#)

### Attachments

No Attachments

### Approval Signatures

Step Description	Approver	Date
	Jerylyn Williams: Chief Audit & Compliance Ofcr	06/2020
SYSTEM Site Administrator	Emilie Hendee: HCS Attorney Sr	06/2020
	David Behinfar: HCS Exec Dir Privacy	06/2020

## Applicability

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Caldwell Memorial Hospital, Chatham Hospital, Johnston Health, Nash UNC 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

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