

## Ancillary Clinical

Many of us provide clinical services to our patients, beyond just the nurses and the doctors.

Some of our jobs include:

- X-ray technicians
- Laboratory workers
- Respiratory therapists
- Physical therapists
- Pharmacy workers

Without us, the doctors and nurses could never do their job of taking care of patients.

### What We Have in Common

Some of us, such as physical therapists and respiratory therapists, exercise independent professional judgment to help our patients. Others, such as phlebotomists, do a very specific job at the request of others.

What we all have in common is that we have entered into the circle of trust around the healthcare of our patients.

We all know that we see and hear things at work that are very private and that we need to keep inside the walls of our hospital.

### Safeguarding Patient Information

The HIPAA law now has standards that we must learn to help us safeguard our patients' information. We have always understood not to tell confidential information about our patients outside of work. Now we are being asked to help keep that information completely safe.

### Scenario

A physician calls the respiratory therapist to ask what he/she thinks is going on with the patient. The respiratory therapist is new and does not recognize the physician's voice. What is the best response for the respiratory therapist?

- a) Okay, you sound like a doctor. Rashad has been wheezing, with a low-grade temperature. Because of his HIV, I'm afraid of an atypical pneumonia. He just has that look.
- b) Sure, Dr. Stone. First, so I can be sure of who you are, could you give me your provider number?
- c) No way, Dr. Stone. With this HIPAA law, I can't tell anything to anybody.

The correct answer would be "b". There are many ways to verify the requester here—a call back to a known clinic, identification on the "caller ID" of your phone, or an identifier such as a provider number.

Also, verify that the person is authorized to get the information about the patient. Be sure to know your policies about verifying the identity of a physician.

Remember, the HIPAA law does not stop us from doing our daily jobs and sharing information that is helpful to our patients. We just have to be careful to protect the privacy of health information.

### Summary

You now know how vital it is to keep private the patient's PHI that we see and hear at work. In addition, sharing PHI with other health professionals requires as much careful consideration as dealing with family and friends. You also learned that there are exceptions to the rule on minimum necessary disclosure when dealing with a patient or a patient's direct caregivers.

Knowing how HIPAA and our organization expect you to handle patient PHI, and answer questions about our patients, is important for all ancillary clinical workers.

## **Family Discussion and Opt-Out**

Opt-out applies to disclosures of PHI to the family and friends involved in a patient's healthcare and to the use of information in facility directories.

The patient has the opportunity to refuse, or opt out of, this type of disclosure.

The law says that you can make information disclosures to family, close friends, or personal friends if you can reasonably infer from the circumstances that the individual would not object to the disclosure — so, in the end, use good judgment.

Minors can present a more complicated privacy problem. The HIPAA regulations defer to all state laws regarding the disclosure of a minor's PHI, so you must know the rules for your state

### **The Minor**

The minor has the authority to act as his or her own individual in any of the following situations:

- If the minor is allowed by state law to consent to the healthcare service, has consented, and has not designated a personal representative.
- If the minor may receive the healthcare service by law without consent.
- If the parent or guardian consents to agreement of confidentiality between us and the minor regarding health information.

This is to certify that I, \_\_\_\_\_ have read and understand all policies and guidelines governing the HIPAA regulation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date