

	<b>Ethics &amp; Compliance Department</b>	
	<b>Policy No.: 22</b>	<b>Created:</b> 01/2018
		<b>Reviewed:</b> 09/2024
	<b>Revised:</b>	

# HIPAA: PROHIBITION ON SALE OF PROTECTED HEALTH INFORMATION

## SCOPE:

All Envision Healthcare teammates. For purposes of this policy, all references to “teammate” or “teammates” include temporary, part-time and full-time employees, independent contractors, clinicians, officers and directors.

## PURPOSE:

Envision Healthcare Operating, Inc. and its subsidiaries and affiliates (“Envision” or “the Company”) has adopted this Prohibition on Sale of Protected Health Information policy to address limitations on the sale of protected health information (“PHI”).

## POLICY:

In general, the Company does not sell PHI of an individual unless it has the authorization of the individual to do so.

- A) The Company will not sell PHI of an individual unless it has obtained an authorization from the affected individual.
- B) The sale of PHI is a disclosure of PHI by the Company where the Company directly or indirectly receives payment from the entity receiving the PHI.
- C) The sale of PHI does not include any of the following, even if the Company receives payment for the disclosures:
  - (1) For public health purposes;
  - (2) For research purposes pursuant to where the only remuneration received by the Company is a reasonable cost-based fee to cover the cost to prepare and transmit the PHI for the research purposes (provided the disclosure would meet the requirements of tracking disclosures of PHI);
  - (3) For treatment and payment purposes;
  - (4) For the sale, transfer, merger, or consolidation of all or part of the Company and for related due diligence purposes;

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- (5) To a business associate for activities that the business associate undertakes on behalf of the Company, if the only payment provided is by the Company to the business associate for the performance of the contracted services;
- (6) To the individual to whom the PHI relates;
- (7) When required by law; and
- (8) For any other purpose permitted by the Company’s policies and applicable laws, if the only payment is a reasonable, cost-based fee to cover the cost to prepare and transmit the PHI.

**POLICY REVIEW**

The Ethics & Compliance Department will review and update this Policy, when necessary, in the normal course of its review of the Company’s Ethics & Compliance Program.