

	Ethics & Compliance Department	
	Policy No.: 40	Created: 01/2018
		Reviewed: 09/2024
	Revised:	

HIPAA: SPECIAL HANDLING OF RESTRICTED CONFIDENTIAL 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 Special Handling of Restricted Confidential Information policy to establish guidelines for disclosing the most sensitive of protected health information. This use and disclosure of this information is typically highly regulated by State and Federal regulations. Accordingly, this information may not be handled or released in the same manner as other PHI.

POLICY:

Disclosure of Psychotherapy Notes

- A) In general, the Company will obtain a patient authorization for the release of psychotherapy notes. However, the department may rely upon the patient’s consent for use or disclosure for the following:
- (1) For the provider, individual originator of the psychotherapy notes, to provide treatment;
 - (2) For use in supervised training programs; or
 - (3) For defending a legal action or other proceeding brought by the individual; and
 - (4) The Company will not obtain a patient’s authorization to disclose psychotherapy notes when required by law, as part of health oversight activities, for the purpose of identifying a deceased person, or when a waiver is granted for the purposes of a research project.

Copying and Faxing

- A) The following types of medical information are typically protected by federal and/or state statute and may NOT be photocopied, emailed, mailed, or faxed without specific patient authorization or when required by law:

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- (1) Psychotherapy (from records of treatment by a psychiatrist, licensed psychologist, or psychiatric clinical nurse specialist);
- (2) Other professional services of a licensed psychologist;
- (3) Social Work Counseling/Therapy;
- (4) Domestic Violence Victims' Counseling;
- (5) Sexual Assault Counseling;
- (6) Records Pertaining to Sexually-Transmitted Diseases;
- (7) HIV Test Results (patient authorization required for EACH release request.);
and
- (8) Alcohol and Drug Abuse Records Protected by Federal Confidentiality Rules (42 CFR Part 2).

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.