

ACCOMMODATING REASONABLE REQUESTS FOR CONFIDENTIAL COMMUNICATIONS

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PURPOSE:

In keeping with patient rights established under the Health Insurance Portability and Accountability Act (HIPAA), and this office's commitment to allowing patients an opportunity to control disclosures of their protected health information (PHI), we will accommodate all reasonable requests for confidential communications that we receive from our patients or their representatives.

POLICY:

Notice of each patient's right to make reasonable requests for confidential disclosures is included in the *Notice of Privacy Practices* that is posted in our office and provided to all patients.

- This office recognizes the rights of any patient to request that we restrict our use or disclosures of their PHI to carry out treatment, payment, or health care operations.
- While we may not be able to agree to all requests, we will comply with any that are reasonable, and will honor those restrictions *unless* the patient is in need of emergency treatment and the restricted PHI is needed to provide the emergency treatment. If a disclosure is made pursuant to emergency treatment, we will ask the other provider not to use or disclose the information further.
- Any agreed-upon restriction will not prevent this office from complying with any disclosures required by federal or state law, or federal or state authorities. See *Mandatory Disclosures* policy and procedure.
- Any request to restrict disclosures can be terminated by the patient, if the revocation is in writing, or if he or she orally agrees to the termination and that oral agreement is documented.
- This office will accommodate any reasonable special requests regarding communications (e.g. alternative address, alternative telephone number, all mail in sealed envelopes) if the request is practicable, in writing, and does not deny this office appropriate contact for treatment, operations, and/or payment purposes.
- All patients will be notified in our *Notice of Privacy Practices* that it is our standard procedure to send appointment reminders in the mail and/or leave telephone answering machine messages, but that they have the right to request that we not do either if they make that request in writing.
- This office will not ever require an explanation from the patient as to the basis for the request that he or she is making.

NOTICE: The Office of the General Counsel of the Texas Medical Association provides this information with the express understanding that 1) no attorney-client relationship exists, 2) neither TMA nor its attorneys are engaged in providing legal advice and 3) that the information is of a general character. You should not rely on this information when dealing with personal legal matters; rather legal advice from retained legal counsel should be sought.