

UConn HEALTH

POLICY NUMBER 2003-06
September 17, 2013

POLICY: HIPAA FUNDRAISING COMPLIANCE POLICY
(Privacy & Security of Protected Health Information (PHI))

PURPOSE: To comply with applicable HIPAA requirements when implementing and conducting fundraising activities, such as prospect identification, solicitations for gifts, and maintaining donor records of grateful patients, which may use or disclose PHI.

SCOPE: All workforce members of UConn Health and UConn Health Foundation, Inc.

POLICY STATEMENT:

1. UConn Health states the following in its Notice of Privacy Practices: “We may contact you in an effort to raise money for UConn Health and its operations. We may disclose information about you to The UConn Health Foundation, Inc., so that they may contact you to raise money for UConn Health. The Foundation has been designated with the primary responsibility for all fundraising for the benefit of the University. The information released would only include your name, address, telephone number, other contact information, age, gender, date of birth, insurance status, dates of service or treatment at UConn Health, department of service, treating physician and outcome information. If you do not want UConn Health to release this information about you for fundraising efforts, you must notify the UConn Health Foundation, Inc. at 1-800-269-9965 or <http://www.foundation.uconn.edu/>.”
2. All patients with the exception of Correctional Managed Health Care patients, will receive the above referenced Notice of Privacy Practices upon their first date of service at UConn Health on /after September 23, 2013.
3. The UConn Health Foundation, Inc. has jurisdiction over all UConn Health departments’ fundraising efforts in order to assure compliance with HIPAA regulations. No UConn Health employee may undertake fundraising efforts without contacting the UConn Health Development Office of the UConn Foundation.

The HIPAA Privacy Law allows disclosure of only the following information to an institutionally related foundation:

- a) patient demographic information which includes name, address, phone number or other contact information,
- b) gender, age, date of birth,
- c) dates of health care services provided
- d) department of service, treating physician, outcome data
- e) insurance status.

4. As required by HIPAA, all fundraising information sent to a patient by the Foundation includes directions for the patient about how to “opt out” of receiving any future fundraising communications.
5. Fundraising activities that disclose a patient's PHI to the Foundation, other than the specific data noted above, for example specific diagnosis, require an authorization signed by the patient prior to the fundraising activity. Approved authorization forms can only be obtained from the UConn Health Foundation, Inc.
6. In order to assure full compliance with opt out patient choice and required authorization, all UConn Health fundraising efforts, for example, fundraising lists set up for phone or mail solicitations, or invitation lists for fundraising events done by any UConn Health staff or department, must be coordinated exclusively through The UConn Health Foundation, Inc. Patient opt out as well as fundraising efforts completed using PHI as authorized by the patient, are tracked by the Foundation. This assures that no patients are sent fundraising communications if they have opted out, and authorizations are completed as needed.
7. UConn Health may continue to send newsletters, brochures and other educational and event information to those patients who have “opted out”.
8. UConn Health’s institutionally-related foundation obtains the allowed information for Fundraising from UConn Health’s IDX database in various reports on a recurring basis.
9. If a UConn Health employee believes a patient may be a potential grateful patient, the employee may provide the above allowable specific information directly to UConn Health Development Office of the UConn Foundation. No other PHI may be shared with the Foundation.

Reference:

- §164.514 (f) Health Insurance Portability and Accountability Act of 1996
- §164.514(f)(1)(i – vi) as amended by the HITECH Rule 1/25/13

Iris Mauriello (Signed)

9/20/13

Iris Mauriello
Corporate Compliance Integrity/Privacy Officer

Date

Joshua Newton (Signed)

9/26/13

Joshua Newton
President and CEO of UConn Foundation

Date

Frank M. Torti (Signed)

10/21/13

Frank M. Torti, M.D., M.P.H.
Executive Vice President for Health Affairs

Date

New Policy: 4/14/03

Revised: 11/04/03, 03/20/09, 9/17/13