



## Administrative Policy

# 2003-25 Uses and Disclosures of PHI Involving Family, Friends, and Others

<b>Title</b>	Uses and Disclosures of PHI Involving Family, Friends, and Others
<b>Policy Owner and Contact Information</b>	Office of Healthcare Compliance and Privacy privacyoffice@uchc.edu
<b>Campus Applicability</b>	UConn Health
<b>Applies to</b>	UConn Health Workforce
<b>Effective Date</b>	6/2/21

### PURPOSE:

To comply with certain individual rights provisions of the Health Insurance Portability and Accountability Act of 1996 and the associated regulations (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH) to allow for uses and disclosures of Protected Health Information (PHI) to family, friends, and others involved in a patient's care or payment for care.

### POLICY STATEMENT:

When a patient is present and has the capacity to make health care decisions, UConn Health may use or disclose to a family member, friend, or other person the PHI directly relevant to such person's involvement with the patient's care or payment for care when:

- (a) the patient agrees or does not object when given the opportunity; or
- (b) it is determined, based on the exercise of professional judgment, that the patient does not object.

When a patient is not present or the opportunity to agree or object to the use or disclosure cannot be provided due to the patient's incapacity or an emergency circumstance:

- UConn Health may disclose to a family member, friend, or other person the PHI directly relevant to such person's involvement with the patient's care or payment for care if it is determined, based on the exercise of professional judgment, that such use or disclosure is in the patient's best interests.
- UConn Health may use or disclose a patient's PHI to notify, or assist in the notification of, a family member, the patient's personal representative or other person responsible for the patient's care, of the patient's location, general condition, or death. PHI used or disclosed for this purpose shall be limited to only the PHI needed for notification purposes.

### DEFINITIONS:

[Privacy Definitions](#)

**PROCEDURES/FORMS:**

[Procedures for 2003-25 Uses and Disclosures Involving Family, Friends, and Others](#)

[HCH1397: Permission to Communicate Health Information and Use Alternative Communication Methods](#)

**REFERENCES:**

45 C.F.R § 164.510(b) (HIPAA Privacy Rule)

**RELATED POLICIES:**

- [2012-05 Legal Representative for Health Care Decisions](#)
- [2003-16 Authorization for Release of Information](#)
- [2003-20 Verification of Individuals or Entities Requesting Disclosure of Protected Health Information](#)

**ENFORCEMENT:**

Violations of this policy or associated procedures may result in appropriate disciplinary measures in accordance with University By-Laws, General Rules of Conduct for All University Employees, applicable collective bargaining agreements, the University of Connecticut Student Code, other applicable University Policies, or as outlined in any procedures document related to this policy.

**APPROVAL:**

Andrew Agwunobi (Signed)  
UConn Health Chief Executive Officer

6/2/2021

Kiki Nissen (Signed)  
Administrative Policy Committee Vice-Chair

6/2/2021

Janel Simpson (Signed)  
Administrative Policy Committee Chair

6/2/2021

**POLICY HISTORY:**

**New Policy Approved:** 04/14/03

**Revised:** 03/28/05, 11/01/05, 04/12/16, 06/14/16, 11/08/16, 6/2/21