



## Procedures for Policy 2003-21 Minimum Necessary PHI

### Exceptions to Minimum Necessary

1. Minimum Necessary does not apply to the following:
  - a. Disclosures to or requests by a health care provider for treatment.
  - b. Disclosures to the individual who is the subject of the information.
  - c. Uses and disclosures made pursuant to a valid authorization.
  - d. Uses and disclosures required for compliance with HIPAA.
  - e. Disclosures to the U.S. Department of Health and Human Services (HHS) as required by the Privacy Rule for enforcement purposes.
  - f. Any other use or disclosure required by law.

### Minimum Necessary Uses

1. UConn Health identifies persons or classes of persons in its workforce who need access to Protected Health Information (PHI) to carry out their duties and makes reasonable efforts to limit their access to the category or categories of PHI needed. The use of, and access to, UConn Health's electronic resources are restricted to appropriately identified, validated and authorized individuals or automated processes for valid business purposes only. UConn Health limits physical access to all forms of PHI and the facility or facilities in which they are housed, while ensuring that properly authorized access is allowed.

### Minimum Necessary Disclosures

1. For routine and recurring disclosures of PHI, the department responsible for the disclosure will follow standard protocols for limiting the PHI disclosed to the Minimum Necessary.
2. Non-routine disclosures of PHI will be reviewed on an individual basis, taking into consideration one or more of the following criteria as applicable: specificity of the request; purpose/importance of the request; likelihood of re-disclosure; and any other factors determined to be relevant. These criteria will be applied as a general set of guidelines, recognizing that the context of each such requested disclosure will vary.
3. UConn Health may reasonably rely upon a request for PHI as the Minimum Necessary when the PHI is requested by:
  - A public official as permitted by HIPAA, if the public official represents (in writing when practicable) that the information requested is the Minimum Necessary for the stated purpose(s).
  - Another Covered Entity.
  - A non-employee Workforce member or Business Associate of UConn Health, in order to provide professional services to UConn Health, if the professional represents (in writing when practicable) that the information requested is the Minimum Necessary for the stated purpose(s).

- An individual requesting information for research purposes if the individual provides appropriate documentation that complies with IRB requirements under UConn Health policy.

### **Minimum Necessary Requests**

1. Except for requests made for treatment purposes, UConn Health staff must limit any request for PHI to that which is reasonably necessary to accomplish the purpose of the request when asking another Covered Entity for PHI.
2. For routine and recurring requests for of PHI, the department making such request will follow standard protocols for limiting the PHI requested to the Minimum Necessary.
3. Non-routine requests for PHI made by UConn Health will be reviewed on an individual basis, taking into consideration one or more of the following criteria as applicable: relevance/nature of the PHI requested; purpose/importance of the PHI requested; amount of PHI requested; any other factors determined to be relevant. These criteria will be applied as a general set of guidelines, recognizing that the context of each such request will vary.

### **Uses, Disclosures, and Requests for an Entire Medical Record**

1. UConn Health staff may not use, disclose or request a patient's entire medical record except as noted in the above section Exceptions to Minimum Necessary or when the entire record is specifically justified as the amount needed to accomplish the purpose of the use, disclosure or request. Any direct care provider involved in a specific patient's treatment/care may access the patient's complete medical record, including during rounds and for educational/teaching purposes. A specific patient's complete medical record may also be used, requested or disclosed by designated individuals to support the patient's care coordination and case management.