

Great Rivers Behavioral Health Administrative Services Organization

Policy Title:	Uses and Disclosures: Opportunities for the Individual to Agree or Object	Policy No. 5003.01
Category:	Privacy & Security	Date Adopted: 1/1/2020 Date Revised: 05/18/2021 Date Reviewed: 05/18/2021
Reference:	Washington Health Care Authority Contract with Great Rivers Behavioral Health Administrative Services Organization 45 CFR Section 164.510	

POLICY:

- 1.1. Great Rivers Behavioral Health Administrative Services Organization (Great Rivers BH-ASO) will provide individuals in service with an opportunity in advance of the use or disclosure of Protected Health Information (PHI), to agree to or prohibit or restrict the use or disclosure, in accordance with the applicable requirements of the Privacy Rules of Health Insurance Portability and Accountability (HIPAA) provisions.
- 1.2. The covered entity may orally inform the individual in service of and obtain the individuals oral agreement or objection to use or disclosure permitted for purpose of:
 - 1.2.1. Involving other people in the Individual in Service's care, and/or
 - 1.2.2. For notification about an Individual in Service's location, general condition, or death, to agree to that particular use or disclosure.

PROCEDURE:

- 2.1. Directory Use
 - 2.1.1. Great Rivers BH-ASO does not maintain a directory.
- 2.2. Emergency Circumstances
 - 2.2.1. If an Individual in Service is incapacitated or an emergency exists, a provider may use or disclose some PHI for a directory if consistent with prior preferences and in person's best interest in the exercise of health care provider best judgement. When later practicable to do so, any disclosures made under this section should be shared with the Individual in Service who may then object.
- 2.3. Uses and Disclosure For Care Involvement and Notification
 - 2.3.1. Permitted Disclosure:
 - 2.3.1.1. To relative, close friend, or other identified person if PHI relevant to that person's involvement with individual's health or payment therefore;
 - 2.3.1.2. Covered entity may use or disclose PHI to notify or assist in notification of family member, personal representative or another responsible person of Individual in Service's location, general condition, or death.
 - 2.3.2. When an Individual in Service is Present:
 - 2.3.2.1. If an Individual in Service is present and capable of health care decisions, covered entity can use or disclose PHI:
 - 2.3.2.1.1. With agreement;
 - 2.3.2.1.2. When no objection despite opportunity to do so; or
 - 2.3.2.1.3. Reasonable inference that no objection.
 - 2.3.3. Limited Use and Disclosure When an Individual in Service Is Not Present: If not present covered entity in its professional judgement and person's best interest use or disclose PHI for care or payment purposes.

- 2.3.4. For Disaster Relief: Covered entity may use PHI and disclose to entity authorized for disaster relief efforts.
- 2.4. Permitted:
 - 2.4.1. When an Individual in Service is deceased: covered entity may disclose PHI to family member or person involved in person's care, PHI if relevant to their involvement.

POLICY SIGNATURE

DocuSigned by:
Trinidad A. Medina
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Trinidad Medina,
Chief Executive Director

6/24/2021

Date