

Give Thanks, not PHI this Fall: HIPAA & Voicemails



Limit the information disclosed when leaving a voicemail message for patients.

Considerations when leaving a voicemail:

- Provide your name, call back number, and date and time of call.
- Keep information to a minimal.
- Use scripts to help keep protected health information (PHI) safe.
- Provide the department or practice name unless the name involves sensitive services (i.e. substance use disorder treatment, behavioral health, HIV services, fertility).
- Do not share details about treatment, test results, billing information, procedures, diagnosis, specifics related to the appointment, or disclose PHI (i.e. full patient name, birth date) on a voicemail message.
- If the patient is unavailable, do not disclose PHI to any unauthorized family member or friend who answers the call. Review personal representative below for more information on authorized individuals.
- Review phone number for accuracy & patient communication preferences before leaving a message.



Personal Representatives:

- **Personal Representatives** have authority to make health care decisions for an individual. Uses and disclosures of PHI is dependent on the scope of authority given to the personal representative.
 - * Typically, a parent or guardian of a minor child is the personal representative. An example of a personal representative for an adult would be a health care power of attorney.
 - * Exception to using a personal representative: Abuse or neglect to the individual by the personal representative is suspected.

CMS CoP: 482.13 (d)(1): The patient has the right to the confidentiality of his or her clinical records.

TJC: Information Management (IM.12.01.01 EP 1, 2, 3):

- The hospital protects the privacy and confidentiality of health information.

HIPAA Privacy Rule:

- Standards for use and disclosures of individual's health information