

Policy/Procedures	POLICY NO:	UOP ACO-COMP-011
VERIFICATION of IDENTITY PRIOR to DISCLOSURE of PHI	SECTION/OWNER:	CCO
	EFFECTIVE DATE:	01/01/2017
	DATE TO QIC:	01/15/2017
	DATE TO BOARD:	01/31/2017

1.0 PURPOSE

This policy is to provide a process to ensure that UOP ACO maintains and provides a detailed process by which UOP ACO staff ensures that reasonable efforts are made to prevent any use or disclosure of PHI which would be in violation of HIPAA. This policy provides guidance to all staff on verification of identity and authority of the person requesting PHI.

ACRONYMS

ACRONYM	DESCRIPTION
UOP	United Outstanding Physicians
ACO	Accountable Care Organization
CCO	Chief Compliance Officer
PHI	Protected Health Information
HIPAA	Health Insurance Portability & Accountability Act

DEFINITIONS

TERM	DEFINITION
ACO	A healthcare organization that ties payments to quality metrics and the cost of care. ACOs in the USA are formed from a group of coordinated health care providers.
PHI	The information that is part of an individual's health information that identifies the individual or there is a reasonable basis to believe the information could be used to identify the individual, including demographic information, and that: <ul style="list-style-type: none"> (i) Relates to the past, present or future physical or mental health or

	<p>condition of the individual;</p> <p>(ii) Relates to the provision of health care services to the individual; or</p> <p>(iii) Relates to the past, present, or future payment for the provision of health care services to an individual.</p> <p><u>This includes</u> PHI which is recorded or transmitted in <u>any</u> form or medium (verbally, or in writing, or electronically).</p> <p>PHI <u>excludes</u> health information maintained in educational records covered by the federal Family Educational Rights Privacy Act and health information about UOP ACO employees maintained by UOP ACO in its role as an employer.</p>
HIPAA	<p>Pursuant to the Health Insurance Portability and Accountability Act (HIPAA) of 1996, the Department of Health and Human Services promulgates rules and regulations to regulate the privacy and security of medical information. The purpose of the law is to improve portability of health insurance coverage, reduce healthcare fraud and abuse and to protect individual privacy of personal health records.</p>
Disclosure	<p>The release, transfer, providing access to, or divulging of Protected Health Information in any manner outside of UOP ACO.</p>
Workforce	<p>Workforce refers to physicians, employees, volunteers, residents, students, trainees, visiting faculty, and other persons whose conduct, in the performance of work for UOP ACO, is under the direct control of UOP ACO, whether or not they are paid by UOP ACO.</p>

2.0 ACCOUNTABLE

Chief Compliance Officer, Chief Executive Officer, Executive Director, Chief Operating Officer, Chairman of the Board, Board Members.

3.0 POLICY

UOP ACO Employees are required to verify the identity of persons requesting access or persons to whom they disclose PHI. Verification applies to **all disclosures** of PHI. The verification requirements rely on the exercise of professional judgment in making disclosures for persons involved in the care of individuals.

4.0 PROCEDURE

The UOP ACO workforce will obtain any documentation, statements, or representations, whether oral or written, from the patient and with whom the PHI is being released to verify identity and authority.

To verify identity of the persons with whom PHI is being disclosed, the UOP ACO workforce will ask the personal representative to verify a combination of the following:

- i. patient's birth date
- ii. social security number
- iii. patients full name
- iv. address
- v. phone number
- vi. relationship to the patient

To verify authority, documents may include:

- i. Durable Power of Attorney including healthcare decisions.
- ii. A Health Care Proxy appointing a person to make healthcare decisions for the patient.
- iii. A court order appointing a Guardian for the patient.
- iv. A court order appointing an Administrator or Executor of the Estate of a deceased person.
- v. A signed PHI release form.

If the requestor is a patient:

Only the identity of the patient needs to be verified, such as a combination of full name and date of birth, and last four digits of Social Security number or other demographic information checked against documentation in the UOP ACO system.

If the requestor is a family member:

Their name, relationship to the patient and the ability to provide specific identifying information regarding the patient may be used to verify identity. To verify authority to obtain patient information, check for documentation in the patient's record regarding their authority to receive information about the patient. If no such documentation, you may ask for the patient to call back to provide verbal permission to speak with the family member or ask for a copy of the document establishing the authority.

If the requestor is a non-UOP ACO provider or other covered entity:

Their name, phone number and organization’s name plus the ability to provide specific identifying information regarding the patient, and the purpose for the request, such as for treatment or payment is required. When in doubt call the number back or ask them to fax a written request on company letterhead.

If the disclosure is to a person acting on behalf of a law enforcement or public official:

A written statement on appropriate government letterhead that the person is acting under the government's authority or other evidence or documentation of agency is required.

UOP ACO will abide by all law enforcement / public health requests within the context of HIPAA.

REFERENCES

CMS: https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/sharedsavingsprogram/Quality_Measures_Standards.html

HIPAA: <https://www.hipaa.com/hipaa-protected-health-information-what-does-phi-include/>

DOCUMENT HISTORY (examples)

DATE	DESCRIPTION OF CHANGE	Accountable
01/01/2017	Original document	AC Director of Clinical Outcomes & Improvement