DHS 2089

# How To Handle Telephone Calls Regarding HIPAA Disclosures

## ☎ Before you begin:

- Review, learn and rehearse the HIPAA rules (www.hhs.gov/ocr/hipaa) and the DHS Privacy Policy under which you work (www.dhr.state.or.us/policy/admin/infosecuritylist.htm)
- Be able to refer people to those rules. Keep copies of the rules handy and use them.

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## ☎ <u>IF YOU GET A CALL</u> requesting information about a client:

- ***Confirm the identity of the caller.*** Follow the steps below until you are satisfied you know who you're talking with.

  1. Find out the identity of the caller by asking for information such as name, business name, provider number, location and phone number.
  2. Get identifying information about the client in question from the caller. This can include the client's policy number, prime number, case number, date of birth, or date of service.
  3. If you're still unsure, you can ask that a faxed request be sent to you on their official letterhead.
  4. You can also ask for the caller's phone number and call it back, paying attention to the greeting. If they do not have a central switchboard that answers calls, check the business' phone number in the phone book or on the Internet.

- ***When you're satisfied with the identity of the requester, you should release only the minimum information necessary.***

    1. Ask why the information is needed.
    2. Provide the information requested, if it is in line with the need outlined by the requester. Do not offer additional information.
    3. Do not provide information that appears to have nothing to do with the identified need.

- ***Document the contact and the information you gave out,*** if required by your unit's procedures.

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## ☎ <u>IF YOU CALL</u> to request information about a client:

- ***How to identify yourself:***

    1. Clearly give your name, the agency you work for and the purpose of your call. Specify that your request is related to "treatment, payment and health-care operations (TPO)" as defined under HIPAA exemptions, and therefore does not require a specific authorization by the client.
    2. Be ready to provide your tax ID number, the address (both physical and mailing) for your unit or program area, and the phone and fax numbers.

- ***How to confirm your identity:***

    1. If your office has a central phone number with an in-person or recorded greeting, give the person your phone number and encourage them to call you back.
    2. Offer to fax them a request on your letterhead.
    3. Demonstrate that you have knowledge about the client, such as their birthdate, zip code, or the date of medical service. Rather than asking for

that information, ask them to confirm what you have.

- ***If they are reluctant to cooperate, you can:***

  - Explain that DHS is involved in providing for the medical care of the client and is therefore legally allowed to have the requested information.
  - Offer to fax or mail the department's one-page explanation of HIPAA information requests. (Form 2087, included in the HIPAA Helpers packet.)
  - Refer to HIPAA provisions that allow DHS to obtain information necessary for "treatment, payment, and operations of health care providers" without a specific release of information, included in 45CFR164.501. A summary of the provisions is included in the DHS 2088 form (part of the HIPAA Helpers packet.) You can offer to fax a copy of the form to them.
  - Ask if the information you need is available on-line. If it is, find out the web address and try to obtain it that way.
  - Ask to talk to their HIPAA Privacy Officer.

- ***If the person is still hesitant:***

  - Direct them to the DHS Privacy Office at 503-945-5780 or fax, 503-947-5396.