

HIPAA Privacy Regulations: Sample Employee Quiz

Please read through the scenarios and questions listed below and see how familiar you are with the appropriate responses - to help to assure compliance with the new HIPAA regulations. *** (Note: This information is from the national perspective. Before giving this quiz to your employees please share it with your legal counsel to ensure that the responses are appropriate under your state and local laws.)

- 1. You receive a call from an individual claiming that he or she is a friend of a patient and wants to inquire as to how the friend is doing. What information can you share?**

If the individual calling inquires about the patient by name, you may share the health information the patient has authorized for inclusion in the hospital directory – name, location and general condition. Should the individual asking for the patient by name be a member of the clergy, you may also share the patient’s religious affiliation.

- 2. A reporter calls and explains that he or she has information from the police that a young woman recently involved in a car accident has been admitted to the hospital. The reporter has information about the accident and a description of the patient - what information are you allowed to share?**

Regardless of what information the reporter may already have, unless the reporter inquires about the patient by name, no information can be shared. Hospital staff are limited to sharing information that is listed within the hospital directory, and again only when the caller asks for individual by name. Requests for information from the media on grounds that a public agency, such as law enforcement, is involved in the matter should be denied unless they inquire about the patient by name - and then only information listed in the hospital directory can be shared.

3. You are just alerted to an accident involving a school bus full of minors – what information can you share?

In a disaster or in an extreme situation like the one mentioned above, the public may benefit from the release of general information when specific information cannot be released. For example, you might say, “the facility is treating twenty children as a result of the school bus accident.” You may state the number of patients who have been brought to the facility by gender or by age group (adults, children, teenagers, etc.). This type of general information can help reduce undue anxiety. ****(In the event that a state law or individual hospital policy is more restrictive than the HIPAA guidelines, the more restrictive law or policy will apply.)* No specific information about a patient can be released unless the requestor asks for the patient by name.

4. If you receive a call from a member of the clergy inquiring about a patient’s religious affiliation or to determine if a member of the congregation has been admitted, what information is the hospital allowed to share?

Members of the clergy frequently request access to names of patients in a hospital to determine if members of their congregations have been admitted. If the patient agreed to be included in the hospital directory then the clergy may receive the directory information without asking for the patient by name. If the patient objects to the inclusion of his or her name in the directory, clergy may not be told that the patient is in the hospital. Clergy may receive a list of all patients with a specific religious affiliation even if they do not ask about the patient by name.

5. If an unconscious patient arrives at the hospital, what information should you share when asked about that patient?

In situations such as this, the condition and location of a patient can be released only if, in the hospital’s professional judgment, releasing such information would be in the patient’s best interest. Prior expressed preference of the patient may be used as a guide when a provider must decide whether to release patient information without consent if the patient is incapacitated. As soon as the patient recovers sufficiently, the hospital must ask about information preferences.

6. Under the new HIPAA guidelines what information are you allowed to give out if called by a reporter inquiring about the death of a patient?

Under the HIPAA privacy rule, if a patient has not asked that his or her information be kept out of the hospital's directory and the reporter asks about the patient by name, the hospital may disclose the patient's general condition, including death, only if that information is included in the hospital's directory. Attempts to notify next-of-kin must be made before this happens. A hospital may not disclose information regarding the date, time or cause of death. No other information may be provided without individual authorization from a personal representative of the deceased.