



 Winson Memorial Hospital We Care For You	<u>Effective Date</u>		
	July 2007		
	<u>Number</u> HP 011	<u>Replaces Policy</u> NEW	
<u>Title</u> Patient Privacy Limited Data Set and Data Use Agreements	<u>Date Revised</u> July 2007	<u>Date Reviewed</u>	<u>Next Scheduled Review Date</u> July 2010
<u>Signature</u> _____	<u>Scope of Responsibility</u> HIPAA/ Compliance		
Chief Privacy Officer			

Purpose: To facilitate compliance with the Health Insurance Portability and Accountability Act (HIPAA) Standards for Privacy of Individually Identifiable Health Information (Privacy Standards), 45 CFR Parts 160 and 164, and any and all other Federal regulations and interpretive guidelines promulgated hereunder. To establish guidelines for the proper use of a limited data set and provide guidance regarding the requirements for a data use agreement, as required by the HIPAA Privacy Standards.

Policy: IMH may use or disclose a Limited Data Set (LDS) without patient authorization if IMH enters into a Data Use Agreement (DUA) with the LDS recipient; however, such use or disclosure of a LDS may only be for the purposes of research, public health or health care operations

Procedure:

1. A LDS may be used or disclosed only if IMH obtains satisfactory assurance, in the form of a DUA, that the LDS recipient will only use or disclose the PHI for limited purposes.

2. A DUA between IMH and the recipient must:
 - a. Establish that the permitted uses and disclosures of the LDS are limited to the purposes of research, public health or health care operations;
 - b. Establish who is permitted to use or receive the LDS; and
 - c. Provide that the LDS recipient will:
 - (1) Not use or further disclose the information other than as permitted by the agreement or as otherwise required by law;
 - (2) Use appropriate safeguards to prevent use or disclosure of the information other than as provided for by the agreement;
 - (3) Report to the IMH chief privacy officer any use or disclosure of the information not provided for by the agreement of which it becomes aware;
 - (4) Ensure that any agents, including a subcontractor, to whom it provides the LDS agrees to the same restrictions and conditions that apply to the recipient with respect to such information; and

Policy:

Policy Number:

(5) Not identify the information or contact the individuals.

3. The following identifiers must be excluded from the PHI to create a LDS:
 - Names;
 - Postal address information other than town or city, state and zip code;
 - Telephone numbers;
 - Fax numbers;
 - Electronic mail addresses;
 - Social security numbers;
 - Medical record numbers;
 - Health plan beneficiary numbers;
 - Account numbers;
 - Certificate/License numbers;
 - Vehicle identifiers and serial numbers, including license plate numbers;
 - Device identifiers and serial numbers;
 - Web universal resource locators (URLs);
 - Internet protocol (IP) address numbers;
 - Biometric identifiers, including finger and voice points; and
 - Full face photographic images and any comparable images.

4. The information that may be used as part of a LDS includes the following:
 - Postal information limited to town or city, state and zip code; and
 - The month and day elements of dates (*i.e.*, no years) for dates related to an individual (including birth date, admission date, discharge date, date of death, if applicable) and all ages over 89 and all elements of dates (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older.