

Subject: NCIR Policy--HIPAA Information for Reminder Recall

Effective date: May 1, 2010

Policy:

When IB staff discuss how reminder/recall is carried out using NCIR, the following information must be given to providers. (This information comes from Bob Martin who is the HIPAA expert for the Division of Public Health.)

1. Reminder/recall notices should be sent out sealed in envelopes.
2. It is acceptable to include the child's name and the date of the child's last immunizations in the reminder/recall notice.
3. Social security numbers should never be used on reminder/recall letters.
4. According to HIPAA, the minimum amount of information should be used in situations where personal medical information (PMI) is being shared. However, this situation does not apply when the provider is notifying the patient of the need for treatment. In this case, immunizations are considered treatment.

§ 164.502 Uses and disclosures of protected health information: general rules.

b) *Standard: Minimum necessary*

(1) *Minimum necessary applies.* When using or disclosing protected health information or when requesting protected health information from another covered entity, a covered entity must make reasonable efforts to limit protected health information to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request.

(2) *Minimum necessary does not apply.* This requirement does not apply to:

(i) Disclosures to or requests by a health care provider for treatment;

(ii) Uses or disclosures made to the individual, as permitted under paragraph (a)(1)(i) of this section or as required by paragraph (a)(2)(i) of this section;

5. The minimum information guideline also does not apply in this situation because the information is being sent to the actual patient (in this case the parent or guardian who legally represents the child.)

§ 164.502 Uses and disclosures of protected health information: general rules.

(a) *Standard.* A covered entity may not use or disclose protected health information, except as permitted or required by this subpart or by subpart C of part 160 of this subchapter.

(1) *Permitted uses and disclosures.* A covered entity is permitted to use or disclose protected health information as follows:

(i) **To the individual;**

(ii) **For treatment, payment, or health care operations, as permitted by and in compliance with §164.**

04/2010

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8/25/11

Approved by

Date