

PRIVACY 12.0

PATIENT DIRECTORY POLICY

Scope: All **workforce** members (employees and non-employees), including employed medical staff, management, and others who have direct or indirect **access** to patient **protected health information (PHI)** created, held or maintained by any subsidiaries of Universal Health Services, Inc., including facilities and UHS of Delaware Inc. (collectively, “UHS”), including UHS **covered entities** (“Facilities”).

Purpose: Describes the **PHI** that may be **used** to create patient directories at Facilities and who will have access to which particular information contained in the patient directories. Information on patients in behavioral health Facilities, in behavioral health or psychiatric departments, or in alcohol or substance/drug abuse programs will **not** be included in a patient directory.

Definitions:

Terms not defined in this Policy or the *HIPAA Terms and Definitions* maintained by the UHS Compliance Office will have the meaning as defined in any related State or Federal privacy law including the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (“HIPAA”) and regulations promulgated thereunder by the U.S. Department of Health and Human Services (“HHS”) at 45 CFR Part 160 and 164, Subparts A and E (“Privacy Regulations” or “Privacy Rule”) and Subparts A and C (“Security Regulations” or “Security Rule”), the Health Information Technology for Economic and Clinical Health Act (“HITECH”) privacy and security provisions of the American Recovery and Reinvestment Act (Stimulus Act) for Long Term Care, Public Law 111-5, the American Recovery and Reinvestment Act of 2009 (“ARRA”), Title XIII and related regulations.

Policy: Facilities may **use PHI** to create patient directories containing certain information as described in this Policy and may use or disclose the information in the directories as provided in this Policy. Information on patients in behavioral health Facilities, in behavioral health or psychiatric departments, or in alcohol or substance/drug abuse programs will **not** be included in a patient directory.

Procedure:

Use of PHI to Maintain a Patient Directory

Except when an individual or their representative objects, or where the information is prohibited from **disclosure** by law or UHS or Facility Policy, a Facility may **use PHI** to maintain a directory

of patients in the facility that contains the following information that may be used or **disclosed** as described in the sections below:

- name;
- patient's location in the Facility;
- patient's condition described in general terms that does not communicate specific medical information; and
- religious affiliation (religious affiliation may be **disclosed** to clergy only).

Disclosure of Patient Directory Information:

The patient directory information may be used by or **disclosed** to members of the clergy, as described under UHS Privacy 10.0 *Disclosures to Clergy*. Except for religious affiliation, the patient directory information may also be used by or disclosed to other persons who ask for the individual by name.

Patients Will be Given an Opportunity to Object

Individuals will be told about the **use** and **disclosure** of **PHI** through the patient directory and be given the opportunity to restrict or prohibit some or all of the **uses** or **disclosures**. Specifically:

- Individuals will be told that the **PHI** described above may be included in a patient directory;
- Individuals will be told to whom the Facility may **disclose** the information (including **disclosures** to clergy of information regarding religious affiliation); and
- Individuals will be given the opportunity to restrict or prohibit some or all of these **uses** or **disclosures** (the Facility may allow the patients to opt out entirely from the patient directory or use an equivalent process to allow the patient to restrict some or all of the **uses** and **disclosures**).

Emergency Circumstances

If the opportunity to object cannot practicably be provided because of the individual's incapacity or an emergency treatment circumstance, the facility may **use** or **disclose** some or all of the **PHI** in the patient directory as described above as long as this is:

- Consistent with a prior expressed preference of the individual, if any, that is known to the Facility;

- In the individual's best interest as determined by the Facility, in the exercise of professional judgment; and
- The Facility must inform the individual and provide an opportunity to object when it becomes practicable to do so.

Behavioral Health, Psychiatric, or Substance/Alcohol Abuse Programs

Information on patients in behavioral health Facilities, in behavioral health or psychiatric departments, or in substance/drug or alcohol abuse programs will not be included in a patient directory. Refer to UHS Privacy 11.0 *Disclosure of Alcohol and Substance/Drug Abuse Records*.

References:

45 C.F.R. §164.510(a)

Related UHS Policies:

UHS Privacy 10.0 *Disclosures to Clergy*

UHS Privacy 11.0 *Disclosure of Alcohol and Substance/Drug Abuse Records*

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Reviewed and Approved by:

UHS Compliance Committee