

PATIENT HEALTH INFORMATION USES SURVEY

This survey helps you categorize health information used or disclosed by your organization, develop a Designated Record Set to provide to the patient for purposes of accessing or amending protected health information, and develop a Minimum Necessary policy for your organization based on routine and nonroutine disclosures both internal and external to your organization.

This survey was developed as a tool to help you develop HIPAA policies and procedures with regard to the Designated Record Set and Minimum Necessary. It should be used as a guide only and should not be construed as official legal advice.

If you want to define further who and what entity has access to protected health information, you can use this survey as a template and develop your own categories. We welcome any feedback about the usefulness of this survey.

Once the surveys are completed, the results should be transferred to your organization's policies and procedures regarding Access to Protected Health Information, Amendment of Protected Health Information, and Minimum Necessary.

INSTRUCTIONS:

1. The Information column contains information types used by healthcare entities. Add any additional information that your organization may store, use or disclose at the bottom of the sheet, using the blank cells.
2. Put a check mark in the 'Used' column to identify these types of information used and disclosed by your organization.

Designated Record Set:

1. Review the definition of Designated Record Set at the bottom of this survey.
2. Put a check mark in the DRS column for those types of information which you want to include in your Designated Record Set.
3. Transfer the Information types to your policies and procedures regarding Access to Protected Health Information and Amendment of Protected Health Information.
4. Develop procedures for segregating the Designated Record Set from the rest of the patient record, and for providing the Designated Record Set if a patient requests Access or Amendment of their Protected Health Information.

Minimum Necessary:

1. Review the definition of Minimum Necessary at the bottom of this survey.
2. Use the Patient Health Information Users Survey to identify to whom you disclose health information on a routine and nonroutine basis.
3. Transfer the information from the Patient Health Information Users Survey to the columns under 'Disclosed To'.
4. Make sure that your policies and procedures regarding Minimum Necessary reflect what information is disclosed internally and externally, for both routine and nonroutine disclosures.

Information	TYPE		DISCLOSED TO:				
	Used	DRS	Patient	Internal Routine	Internal Non-routine	External Routine	External Non-routine
Name							
Address including street, city, county, zip code, or equivalent geographic subdivisions smaller than a state (excluding the initial three digits of a zip code provided that (a) when combining all zip codes with the same three initial digits, the geographic unit formed contains more than 20,000 people; and (b) the initial three digits of a zip code for those geographic units containing 20,000 or fewer people is changed to 000)							
All dates (excluding the year) that directly relate to a person, including a birth date, admission date, discharge date, date of death, etc. If the person is over 89 years old, all elements of a date (including year) that may indicate the person's age must be removed							
Telephone number							
Fax number							
Electronic mail address or e-mail address							
Social Security number							
Medical record number							
Health plan beneficiary number							
Account number							
Certificate or license number							
Vehicle identifier or serial numbers, including license plate number							
Device identifier and serial number							
Web Universal Resource Locators (URLs)							
Internet Protocol (IP) Address number							
Biometric identifiers including a person's finger or voice print							
Full face photographic images and any other comparable image							
Any other unique identifying number, characteristic, or code							
Birth date							
Admission date							
Discharge date							
Billing date							
Age							
Sex							

DEFINITIONS

DESIGNATED RECORD SET

DRS = Designated Record Set, or information to be provided to patients when fulfilling a request for access or amendment to Protected Health Information. In general, DRS contains ‘any information used to make decisions about a patient’.

HIPAA definition:

Designated record set means:

(1) A group of records maintained by or for a covered entity that is:

(i) The medical records and billing records about individuals maintained by or for a covered health care provider;

(ii) The enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan; or

(iii) Used, in whole or in part, by or for the covered entity to make decisions about individuals.

(2) For purposes of this paragraph, the term *record* means any item, collection, or grouping of information that includes protected health information and is maintained, collected, used, or disseminated by or for a covered entity.

MINIMUM NECESSARY

HIPAA definition:

The minimum necessary standard requires covered entities to evaluate their practices and enhance safeguards as needed to limit unnecessary or inappropriate access to and disclosure of protected health information.

The Privacy Rule generally requires covered entities to take reasonable steps to limit the use or disclosure of, and requests for, protected health information to the minimum necessary to accomplish the intended purpose. The minimum necessary standard does not apply to the following:

- Disclosures to or requests by a health care provider for treatment purposes.
- Disclosures to the individual who is the subject of the information.
- Uses or disclosures made pursuant to an individual’s authorization.
- Uses or disclosures required for compliance with the Health Insurance Portability and Accountability Act (HIPAA) Administrative Simplification Rules.
- Disclosures to the Department of Health and Human Services (HHS) when disclosure of information is required under the Privacy Rule for enforcement purposes.
- Uses or disclosures that are required by other law.