

PLUMAS COUNTY, CALIFORNIA



HIPAA RELATED POLICIES AND PROCEDURES

EFFECTIVE APRIL 14, 2003

MINIMUM NECESSARY STANDARDS FOR USE AND DISCLOSURE

Policy:

Plumas County will implement minimum necessary standards to protect an individual's privacy with regard to health information.

Purpose:

Protected health information (PHI) refers to health information that is created or received by or on behalf of Plumas County. The Privacy Rule indicates that the "minimum necessary" is the general standard when using, disclosing, or requesting PHI. The County should make reasonable efforts to limit PHI to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request.

Responsibilities:

Plumas County should reasonably restrict unnecessary and inappropriate access to and disclosure of health information. This responsibility lies with department heads, the County Privacy Officer and departmental privacy officers.

Process:

Any use or disclosure of protected health information for treatment, payment or health care operations must be consistent with the Notice of Privacy Practices.

Individuals have the right to request restrictions on how the County will use or disclose their PHI for treatment, payment and health care operations. The County is not required to agree to an individual's request for a restriction, but is bound by any restrictions to which it agrees.

Plumas County departments will limit requests and disclosures of PHI to the amount reasonably necessary to achieve the intended purpose, for all requests and disclosures that the department makes on a routine or recurring basis. Department staff will use professional judgment and best practices guidelines to make their own assessment of what PHI is reasonably necessary for a particular purpose. Departments may rely on an authorization for disclosure as defining the minimum necessary criteria. Disclosures that don't fit within these categories require a written description of what is needed and why, and these will be evaluated on a case by case basis.

Plumas County departments will make a reasonable effort to identify the type and amount of PHI each workforce class of persons needs to carry out their duties and any conditions appropriate to such access.

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 by federal or state law; and
- Uses or disclosures made to an individual in an accounting of disclosures.

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Last revision date: March 24, 2004

Reference: 45 CFR 164.501, 45 CFR 164.502(a)(1)(iii), 45 CFR 164.508(a)(2), 45 CFR 164.510(b)(3), 45 CFR 164.514(d), 45 CFR 164.522(b), 45 CFR 164.528(a)(1), and 45 CFR 164.530(c).