

Emailing Protected Health Information (PHI)

Policy Area: HIPPA	Subject: PHI
Title of Policy: Emailing of PHI	
Effective Date: 07/19/17	
Approved Date: 07/20/17 Revision Date: 8/21/2019	Approved by: April Hansey
<p>1. Rationale or background to policy:</p> <p>On the Department of Health and Human Services (HHS) HIPAA page, it is stated that the Privacy Rule “allows covered health care providers to communicate electronically, such as through e-mail, with their patients, provided they apply reasonable safeguards when doing so.”</p> <p>While Valley Med could encrypt our end of the email transport, it’s difficult to ensure the security of the email once it leaves our server. In order for completely encrypted email communication to be achieved, the patient would need to use an email service that supports HIPAA-level encryption. The Privacy Rule recognizes this, and grants individuals access to electronic protected health information (ePHI) in the format that they wish to receive it, i.e. unencrypted email as long as they have been educated on the risks involved.</p> <p>2. Policy Statement:</p> <p>Valley Med recommends alternative methods, such as using the secure patient portal, mail, or fax for transferring PHI. Patients must sign the informational consent form and complete an email verification process before the PHI is transmitted. A disclaimer regarding patient privacy will be included with all communication. Valley Med will complete the copying of the records within 30 days.</p> <p>***Valley Med WILL NOT RECEIVE EMAILS/ATTACHMENTS FROM PATIENTS DUE TO SECURITY RISK.***</p> <p>The donotreply@valleymedpc.com email address is solely used for sending information.</p> <p>3. Procedures:</p> <p>If a patient requests to receive PHI through email, the patient will be informed of the clinic’s recommendations to receive the PHI in a different format. If the patient’s preference is to receive the PHI through email the informational consent form will need to be signed before the process is started. The consent form is available in the office, on the clinic website, or can be attached and emailed from the clinic’s donotreply@valleymedpc.com address.</p> <p>The procedures for completing the process will be as follows:</p>	

1. The request for records would preferably be made through the patient portal; however, a telephone encounter will be adequate.
2. The request will be forwarded to the Records Custodian.
3. The consent form must be received back from the patient with a signature approving the PHI be sent via unsecure email. If a subsequent request is made the Records Custodian will contact the patient by phone and insure the email on consent form is correct. If the email needs updated a new consent form will be required.
4. The records will be prepared for transmission, and the validation process will be initiated.
5. The records custodian will verify the email by confirming what is listed on the patient's signed consent form.
6. A test email will be sent from the donotreply@valleymedpc.com to the patient requesting a return phone call to confirm the email was received by the intended recipient.
7. When the patient returns the call it should be routed to the records custodian, and the patient will be notified they should receive the records within one business day.