

Weber Family Chiropractic PC
Minimum Necessary Standard

Policy No.: 15

Issue Date: 04/14/03

Revision Date: ___/___/___

Approval: Dr. Scott Weber
Title: Office Manager

Title:

I. POLICY

It is the policy of Weber Family Chiropractic PC to limit the use or disclosure of protected health information ("PHI") to the minimum amount of information necessary to accomplish the intended purpose of the use or disclosure. This Policy supersedes any previous policy on this subject.

II. PURPOSE

The purpose of this Policy is to a) establish the scope of the "minimum necessary" standard; b) identify those job positions within Weber Family Chiropractic PC that require access to patient health information in order to perform the job functions and determine the types of patient health information necessary to each job position; and d) describe the conditions under which patient health information may be accessed as part of each job position.

III. SCOPE

The minimum necessary standard applies to uses and disclosures of patient health information among the staff in Weber Family Chiropractic PC and to disclosure of patient health information to other covered entities (other than treating providers). The minimum necessary standard does *not* apply in the following situations:

- a. Disclosures to or requests by a health care provider for treatment purposes.
- b. Disclosures to the patient who is the subject of the information.
- c. Uses or disclosures pursuant to a written authorization from the patient.
- d. Uses or disclosures required for compliance with the federal privacy laws.
- e. Disclosures to the U.S. Department of Health and Human Services for the purpose of enforcing the privacy standards.
- f. Uses or disclosures to a public official or otherwise required by federal or state laws. Note: in this situation, Weber Family Chiropractic PC will ask for the representation of the public official, etc. that the amount of patient health information requested is the minimum necessary to serve the official's purpose.

III. PROCEDURE

- 1. Dr. Scott Weber will determine which staff members or classes of staff members will use or disclose patient

health information as part of their routine functions in Weber Family Chiropractic PC.

2. Dr. Scott Weber will add to the job descriptions for each staff member or class of staff members reasonable limits on the amount and type of patient health information to which the staff member will have access and reasonable standards for the use and disclosure of patient health information in the required job functions. The following is an example of such limitations and standards:

E.g., “*Receptionist*. The receptionist's duties include, but are not limited to: answering incoming calls, directing calls to the appropriate health care provider, scheduling appointments, placing appointment reminder calls, collecting patient insurance and information forms, and inputting patient insurance and other information into Weber Family Chiropractic PC's computer system. In order to perform these duties, the receptionist may access patient health information in the patient financial files. Unless approved by Dr. Scott Weber, the receptionist will not access PHI contained in the patient's medical chart. Although the receptionist may access PHI contained in the records specified above, the receptionist will only access such PHI for the purposes of performing the duties specified for his/her job position. Unauthorized access of PHI may subject an individual to sanctions in accordance with Policy No. 10 regarding complaints, sanctions and mitigation.”

3. Dr. Scott Weber will develop protocols generally describing the minimum amount of patient health information that may be routinely disclosed to other covered entities (other than treating providers), such as when responding to a request for medical records from an insurance company.
4. Dr. Scott Weber will review on a case-by-case basis all non-routine requests for patient health information from staff members or other covered entities and will instruct staff members regarding the minimum necessary standard for that use or disclosure.
5. Dr. Scott Weber shall ensure that all staff members are familiar with their particular job descriptions and this minimum necessary policy.