

<p style="text-align: center;">POLICY REGARDING DISCLOSURE OF PROTECTED HEALTH INFORMATION AS REQUIRED BY LAW</p>
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Purpose: To set forth the policy and procedures of WVU Physicians of Charleston (WVUPC) regarding disclosure of protected health information (“PHI”) as required by law.

Standard: As a covered entity under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), WVUPC may use or disclose PHI to the extent that such use or disclosure complies with and is limited to the relevant requirements of such law.

Policy:

1. If federal, state, and/or local laws require a use or disclosure of PHI, then WVUPC may use or disclose PHI to the extent that the use or disclosure complies with such law and is limited to the requirements of such law.
2. Questions regarding whether a particular use or disclosure is required by law should be referred to the WVUPC Privacy Officer or the WVUPC Director of Health Information Management (HIM).
3. In the event that two or more privacy laws or regulations which govern the same use or disclosure conflict, WVUPC will comply with the more restrictive laws or regulations.

Procedure:

1. The staff and faculty of WVUPC may use or disclose PHI to the extent that such use or disclosure is required by law, including but not limited to:
 - a. For public health activities required by law;
 - b. For disclosures about victims of abuse, neglect, or domestic violence;
 - c. In order to comply with judicial and administrative orders;
 - d. To comply with law enforcement;
 - e. For health oversight purposes;
 - f. To avert a serious threat to health and safety;
 - g. To comply with special government functions or requests.

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Procedure:

2. When disclosing PHI in accordance with no. 1 above, WVUPC will follow any specific policies and procedures formulated to address the applicable disclosure.
3. Personnel of WVUPC will follow organizational policies and procedures for determining the identity and authority of individuals seeking disclosures required by law.
4. Once it is determined that a use or disclosure is required by law and that the request is appropriately presented by a person with authority, WVUPC HIM staff will access the individual's PHI using proper access and authorization procedures.
5. The required PHI will be delivered to the individual making the request in a secure and confidential manner.
6. WVUPC HIM staff will appropriately document the request and delivery of the PHI.
7. In the event that the identity and legal authority of an individual or entity requesting PHI cannot be verified, guidance and direction must be obtained from the WVUPC Privacy Officer and/or General Counsel.

REFERENCES:

45 C.F.R. § 164.512

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**WVU Physicians of Charleston
HIPAA Policies and Procedures**

POLICY/PROCEDURE NO. PP-04

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