
Ocean City Fire Department
Standard Operating Guidelines

EMS Operations

Subject: HIPAA Compliance
Revised : 4-24-2012
Effective: 9-01-2012
Approved: 4-24-2012
Section: 302.0

302.01 Purpose

To provide a policy and procedure on limiting access, disclosure, and use of Protected Health Information (PHI) and to provide policies outlining patients' rights. To define the Ocean City Fire Department's responsibilities in fulfilling patient requests and to establish an acceptable and consistent format to enable the Ocean City Fire Department to be compliant with The Health Insurance Portability and Accountability Act of 1996 (HIPAA). Security of PHI is everyone's responsibility.

302.02 Scope

This policy applies to all personnel of the Ocean City Fire Department.

302.03 Policy and Responsibilities

- A. When PHI is accessed, disclosed and used, the individuals involved will make every effort to utilize that PHI to the extent that only the minimum necessary information is made available.
- B. Patients may exercise their rights to access, amend, restrict, or request an accounting, or lodge a complaint with either the Ocean City Fire Department or the Secretary of the Department of Health and Human Services. If such request arises, personnel will provide the patient with the name and contact information of the Ocean City Fire Department, Deputy Chief, Fire-EMS Division, and will report such request to the Fire-EMS Division OIC.
- C. It shall be the policy and responsibility of all personnel with access to PHI to understand and follow all policies and procedures related to HIPAA.

302.04 Procedure

As a health care provider, the group must be compliant with the HIPAA Privacy Rule of April 14, 2003. It will also be mandatory that all patients receive a copy of "The Notice of Privacy Practices". The Ocean City Fire Department or the Town of Ocean City Finance Department will provide this notice to all patients that are treated.

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The following situations may arise:

- A. Patients transported to an authorized receiving medical facility will be sent the Notice by the Finance Department of the Town of Ocean City.
- B. If the patient refuses transport, then a Notice will be provided to the patient at the time of refusal. The patient is to sign the appropriate sections of the refusal form. All refusal forms will be forwarded to the Fire-EMS Division Office where they will be kept on file for a period of six (6) years.
- C. Patient Care Reports (PCR) must be completed prior to the end of shift. This will insure that all PHI is properly secured. Any copies of PCRs or patient notes will be shredded if not required by the Fire-EMS Division Office.
- D. Oral Communications- Fire Department personnel may transmit information to receiving facilities for the purpose of medical consults. At the time of transfer of care, please insure that your verbal patient report is securely relayed to the appropriate staff.
- E. Disclosure of PHI to emergency care providers and law enforcement personnel. As a general policy, Fire Department personnel will not disclose PHI to providers beyond that which is genuinely required for treatment purposes. Ocean City Fire Department personnel may give PHI to law enforcement only if the information is requested through subpoena of a Court order, and only such information which is explicitly requested is said subpoena and Court order (also known as the “minimum necessary rule”).

302.05 Verbal Security

- A. Waiting or Public Areas: If patients are in public areas to discuss the service provided to them, or to have billing questions answered, make sure that there are no other persons in that public area. If so, escort the patient into a screened area before engaging in discussion.
- B. Station Areas: personnel should be sensitive to the fact that members of the public and other agencies may be present in station areas. Conversations about patients and the health information should only take place in secure areas, and only if the other personnel have the need to know.