

<p align="center">The University of Texas SOUTHWESTERN MEDICAL CENTER At Dallas</p>	<p align="center">Privacy Compliance Program Privacy Manual Section 7: Standard Protocols for Uses, Disclosures and Requests of PHI Policy No: 7.31 Last Revised: March 18, 2004 Effective Date: April 14, 2003</p>
<p align="center">Treatment, Payment and Health Care Operations Databases</p>	

POLICY:

UT Southwestern may use and disclose PHI in databases for Treatment, Payment or Health Care Operations activities without authorization from the Individual.

PROCEDURE:

1. Definition. For purposes of this Policy, a database is PHI that is created, stored or maintained electronically by Information Resources, an individual department or Workforce member. Databases include, but are not limited to repositories and registries.
2. Creation and Use of Database by UT Southwestern. UT Southwestern may use an individual's PHI without obtaining an individual's written authorization for the creation and subsequent use of a database ONLY for treatment, payment and health care operations purposes (TPO). If the database will be used for any reason in addition to TPO (e.g. research, marketing), authorization or a waiver of authorization must be obtained. For information on the use of databases for research purposes, see Section 7.32, Research Databases. *<insert intranet link>*
3. Data Extraction Requests. For database reports that require the assistance of UT Southwestern's Clinical Information Systems, a Data Extraction Report Request Form must be completed and approved by the Department Chair, or designee. For more information, see Section 14-12 of the Ambulatory Services Policy Manual. *<insert intranet link>*
4. Disclosures to Other Entities for Treatment and Payment. UT Southwestern may disclose PHI from the database to another entity for treatment and payment activities of the other entity without the individual's written authorization.

5. Disclosures to Other Entities for Health Care Operations.

- a. *Limited Purposes.* UT Southwestern may disclose PHI from the database to another entity for limited health care operations of the other entity without the individual's written authorization if:
 - i. UT Southwestern and the other entity have or had a relationship with the individual;
 - ii. The PHI pertains to the relationship with the individual; and
 - iii. The disclosure is for *limited* health care operations that involve:
 1. quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines (provided that the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities); population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not involve treatment;
 2. reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance, health plan performance, conducting training programs in which students, trainees or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of non-health care professionals, accreditation, certification, licensing or credentialing activities; or
 3. health care fraud and abuse detection or compliance.
- b. *Limited Entities.* UT Southwestern may disclose PHI from the database for *any* health care operations purposes without an individual's written authorization, provided the disclosure is *limited* to entities with whom UT Southwestern participates in an Organized Health Care Arrangement (OHCA). The disclosure must be for health care operations activities of the OHCA.
- c. *Limited Data Sets.* UT Southwestern may disclose a limited data set of PHI from a PHI database for health care operations purposes of the other entity pursuant to a data use agreement, as described in Section 5.2 of this Manual. *<insert intranet link>*.

6. Minimum Necessary Rule.

- a. Generally. When using or disclosing PHI for payment or health care operations purposes, UT Southwestern Workforce shall use or disclose only the minimum PHI necessary to accomplish the intended purpose. The amount of PHI that constitutes the minimum necessary shall depend upon the type of activity that is being undertaken.

LEGAL REFERENCES:

45 C.F.R. 164.506(c), 164.512(i)(1)(i)-(iii), 164.512(i)(2), 164.502(d), 164.514(a)-(c), 164.514(e)

RELATED POLICIES & PROCEDURES:

<insert intranet links to other departments' procedures>