Requests for Health Information from IDX

In April 2003 the federal government passed a national rule regarding the privacy of health information. This rule impacts the Medical College of Wisconsin’s ability to use this information to carry out our mission and conduct our day-to-day activities. This national rule is called the Privacy Regulation and is part of the Health Insurance Portability and Accountability Act (HIPAA).

The HIPAA Privacy Regulation permits a covered entity (MCW) to use and disclose protected health information (PHI), with certain limits and protections, for treatment, payment and health care operations. The Clinical Information Systems Department frequently receives requests for data containing PHI for various purposes. The data requested is often used for internal operations, support groups, health promotional/educational mailings, fundraising, and research purposes.

Requests for PHI for internal operations such as quality assurance, practice patterns, and outcomes analysis are all considered part of health care operations and in general the release of PHI is permitted for these purposes without patient authorization.

Requests for PHI to identify patients for support groups or health promotional/educational mailings are permitted without patient authorization if the communication merely promotes health in a general manner and does not promote a specific product. Examples of general health promotional material include mailings reminding women to get an annual mammogram, mailings providing information about how to lower cholesterol, new developments in health care (e.g., new diagnostic tool), support groups, organ donation, cancer prevention, and health fairs.

For purposes of fundraising, the Privacy Regulation allows the College to only use demographic information (name, address, age and gender) of an individual and dates of service, unless an authorization is received in advance from the patient. Without an authorization from the patient, the College cannot use a patient’s diagnosis, clinic name where services were received, or specialty of the treating physician, to identify or assemble mailing lists for fundraising or promotional purposes.

Finally, requests for PHI for research purposes will typically require a patient authorization or an IRB approved "Request for Protected Health Information in Research Without Patient Authorization" form. Additional information regarding research, patient authorization and IRB waivers can be found in the research section of the MCW HIPAA website.

If you wish to learn more about HIPAA please visit the College’s HIPAA WEB site at http://infoscope.mcw.edu/display/router.asp?DocID=7961.