

POLICY INFORMATION

Policy Title: Uses or Disclosure of PHI for Fundraising Policy and Procedure

Departmental Owner: Chief Compliance, Audit, and Privacy Officer

Version Effective Date: 2/28/24

Last Reviewed: 2/28/24

SCOPE

This policy applies to the following individuals and/or groups:

All of the below categories

All Employees CT Employees NY Employees Remote Employees Contractors Volunteers Students/Interns Vendors

This policy applies to all above listed Nuvance Health workforce members including but not limited to the following locations:

All of the below entities

Nuvance Health Systems

Danbury Hospital (including New Milford Hospital Campus)

Northern Dutchess Hospital

Norwalk Hospital

Putnam Hospital

Sharon Hospital

Vassar Brothers Medical Center

Health Quest Systems, Inc. "(HQSI)"

Health Quest Home Care, Inc

Hudson Valley Cardiovascular Practice, P.C. (aka The Heart Center) ("HVCP")

Other HQSI-affiliated Entities Not Listed

Western Connecticut Home Care, Inc ("WCHN")

Western Connecticut Health Network Physician Hospital Organization ACO, Inc.

Western Connecticut Home Care, Inc

Other WCHN-affiliated Entities Not Listed

Nuvance Health Medical Practices (NHMP PC, NHMP CT, ENYMS & HVCP)

POLICY STATEMENT/PURPOSE

To provide guidelines for using or disclosing protected health information ("PHI") for fundraising in compliance with Federal and State privacy laws.

DEFINITIONS

See HIPAA Glossary

POLICY

1. It is the policy of Nuvance Health and affiliates ("Nuvance") that, unless an individual's authorization is obtained, to release only limited PHI for fundraising purposes, including the patient contact information, such as name, address and phone number, the dates of treatment or services, the department that treated the patient, the patient's treating physician, and the patient's medical outcomes.
2. Nuvance will include in any fundraising materials it sends to individuals a description of how to opt out of receiving further fundraising communications.
3. Nuvance will not condition patient treatment or payment on whether the individual has opted out of receiving fundraising communications.
4. The Nuvance Notice of Privacy Practices includes information informing individuals that they may opt out of fundraising activities and communications.

Original Effective Date: LHQ= 2/27/14

Revision Dates: 2/28/24

Supersedes: HQ 5.2.24 Fundraising and the Use of PHI Policy;
HQ 5.2.24 Uses or Disclosure of PHI for Fundraising Procedure

PROCEDURE

Nuvance Health has a procedure to process uses and disclosures of PHI for purposes of fundraising requests.

A. WITHOUT PATIENT AUTHORIZATION

1. Unless a patient's authorization is obtained, use of PHI for fundraising must be limited to the following demographic information:
 - a. Patient contact information, such as name, address and phone number
 - b. Dates of treatment or service;
 - c. The department providing treatment
 - d. The treating physician
 - e. Medical outcomes; and
 - f. Health insurance status
 - g. Age
 - h. Gender
 - i. Date of birth
2. This limited PHI may be disclosed to a business associate or related foundation for purposes of raising funds on behalf of the Nuvance entity.

B. FUNDRAISING AND OPT-OUT LANGUAGE

1. Nuvance's Notice of Privacy Practices will state that the entity may contact the individual to raise funds for the entity, and that patients have the right to opt out of receiving fundraising communications.
2. All fundraising communications sent to individuals will provide the opportunity to opt out of receiving future fundraising communications. Individuals will be informed that they have the following options for opting out of receiving fundraising communications:
 - a. Toll-free and or local telephone number
 - b. Email address
 - c. Pre-printed and pre-paid postcard
3. Sample language to opt-out might be as follows:

"If you do not wish to receive future fundraising requests supporting Nuvance, you can call our telephone number, or email or leave a message identifying yourself and stating that you do not wish to receive fundraising requests. There is no requirement that you agree to accept fundraising communications from Nuvance, and we will honor your wishes".
4. The individual's decision to opt out does not lapse or expire. The only circumstance where an individual who has opted out will receive fundraising communications is where the individual makes a separate documented request to opt back in.
 - a. If an individual request to be excluded from future fundraising communications, an electronic constituent record will be created and a "Do Not Solicit" code will be assigned. The code will ensure that these individuals are filtered from fundraising software queries used to generate mailing lists. The Nuvance Foundation Offices will maintain copies of these requests.



- b. The Nuvance entity will create and maintain a manual list of the same individuals to use as a crosscheck against electronically generated mailing lists.
- 5. Nuvance shall not condition Treatment with respect to a patient's choice to opt out of Fundraising communications.

ENFORCEMENT

All individuals whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate remedial and/or disciplinary action, up to and including termination of any employment or other relationship, in accordance with this policy.

Failure to comply with this policy and related procedures will result in appropriate remedial and/or disciplinary actions, up to and including termination of any employment or other relationship.

REFERENCES

- 45 CFR, Parts 160 and 164
- 45 CFR 164.514(f)
- 45 CFR 164.520(b)(1)(iii)(A)

APPROVAL

DocuSigned by:
Jared B Gaynor
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Signature

2/28/2024

Date