

## POLICY INFORMATION

**Policy Title:** Uses and Disclosures for Treatment, Payment and Healthcare Operations 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 regarding the use of patients' Protected Health Information ("PHI") for Nuvance Health and its affiliates ("Nuvance") for treatment, payment for health care, and health care operations, including quality improvement activities, conducted by, and for, health care providers and health plans, that support treatment and payment.

## DEFINITIONS

See: HIPAA Glossary

## POLICY

1. It is the policy of Nuvance to use PHI for quality performance measurement and improvement in accordance with applicable federal and state law and to assure the confidentiality, privacy, and security of PHI as required by law. The core health care activities of treatment, payment and health care operations are defined in the HIPAA Privacy Rule at 45 CFR 154.501.
2. Nuvance entities are considered as a single Affiliated Covered Entity as defined by the HIPAA Privacy Rule.
3. Use of PHI for other purposes (e.g., research) is guided by policies relating to those uses.
4. Disclosure of PHI to outside entities is governed by policies relating to these disclosures and must be considered in an accounting of disclosures.

Original Effective Date: LHQ= 2/27/14

Revision Dates: 2/28/24

Supersedes: HQ 5.2.27 Uses and Disclosures for Treatment, Payment and Health Care Operations Policy;  
HQ 5.2.27 Uses and Disclosures for Treatment, Payment and Health Care Operations Procedure

## PROCEDURE

Nuvance has a procedure that addresses the appropriate use of PHI for Treatment, Payment and Healthcare Operations purposes that takes into account the Federal and State laws and regulations that apply.

- A. Nuvance obtains consent from individuals for treatment, payment, and health care operations. Consents are retained in the individual's electronic health record.
- B. Nuvance will protect the privacy of its patient's PHI while allowing workforce members to Use and Disclose PHI for purposes of treatment, payment and/or healthcare operations. Federal and State laws and regulations will be in force.

### 1. Treatment

- i. Use a patient's PHI to provide the patient with treatment or services.
- ii. Share a patient's PHI with other departments with the covered healthcare entity as long as the department is providing or has in the past provided service to the patient.
- iii. Disclose a patient's PHI to its Nuvance physicians, other Nuvance healthcare professionals and other Nuvance personnel who are involved in the patient's care.
- iv. Disclose a patient's PHI to individuals who are involved in the patient's care and are authorized to have the PHI with a valid authorization.

### 2. Payment

- i. Use and disclosure of a patient's PHI can be used to bill and collect for treatment and services provided to the patient.
- ii. Disclose a patient's PHI to the patient's health plan to obtain prior approval for treatment or to determine whether the patient's plan will cover the treatment.
- iii. Disclose a patient's PHI to other healthcare providers to facilitate the other health care provider's billing and collecting efforts and as permitted by law.

### 3. Healthcare Operations

- i. Use and disclose a patient's PHI for purposes of Nuvance's own healthcare operations.
- ii. Aggregate patient information to decide what additional services should be offered, what services are not needed and whether certain treatments are effective.
- iii. Combine the PHI Nuvance possesses with PHI from other health care providers in order to compare its performance with other like providers and make improvements in the care and services offered.
- iv. Disclose a patient's PHI to other healthcare organizations as permitted by law.
- v. Quality Performance Measurement and Improvement ("QPMI") activities are a component of Health Care Operations (45 CFR 164.501). For QPMI activities, PHI may be shared internally within Nuvance without considering these transactions to be PHI Disclosures.

C. Use of PHI for other purposes (e.g., research) is guided by policies relating to those uses.

D. Disclosure of PHI to outside entities is governed by policies relating to these disclosures and must be accounted for.

E. General Guidelines for the Use of PHI for QPMI

- 1. Nuvance workforce members may use PHI for quality performance measurement and improvement activities as long as it is necessary for carrying out these activities. Only those PHI elements necessary for completion of the work should be collected. (See "Minimum Necessary for Use and Disclosure Policy")
- 2. All PHI assembled for QPMI should be kept on a secure, individual-password protected server or in a locked cabinet accessible only to appropriate workforce members.
- 3. PHI fields should be de-identified at the end of the QPMI project or two (2) years after it is collected, whichever is earlier. Once de-identified, QPMI databases and reports may be kept indefinitely without risk of inappropriate Disclosure. (See "De-identification Summary Health Information and Limited Data Sets Policy") If de-identification is not feasible, the QPMI project must be maintained in a secure environment in

accordance with the Nuvance “Safeguards for Sensitive Information, Protected Health Information and Electronic Protected Health Information Policy.”

In general, QPMI reports are aggregated by hospital, service, or another provider distinction and do not contain PHI. These reports may be shared within Nuvance. Since these reports may contain sensitive Protected Health Information, they shall not be transmitted using the public Internet.

4. PHI contained in QPMI databases may be provided to researchers with IRB approval or waiver or through policies and procedures as noted below. This may include PHI access for review preparatory to research. (Please see the “Request to Access PHI for a Research Purpose” form, “Research Authorization Policy”, “Nuvance Accounting of Disclosures Policy”).
5. Please consult the “Validation of Patient Authorization Policy” for information about release of QPMI information containing PHI to government agencies, in response to a subpoena, and other eventualities.

## ENFORCEMENT

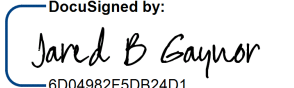
All individuals whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy and related procedure may result in remedial and/or disciplinary action, up to and including termination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

## REFERENCES

45 CFR, Parts 160 and 164

## APPROVAL

DocuSigned by:

  
6D04982E5DB24D1

Signature

2/28/2024

Date