



Administrative Hospital-wide Policy and Procedure

Policy:	Disclosure of PHI to Law Enforcement
Policy Number:	IM-048
Joseph S. Gordy, CEO Flagler Hospital	Signature:
Originator:	Patient Privacy Committee
Coordinating Departments:	Health Information Management
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Chapter:	Information Management
Regulatory References:	HIPPA Privacy Rule 45 CFR 164-512
Other References:	

OBJECTIVE: To outline the circumstances when protected health information may be disclosed to law enforcement.

PROCEDURE:

1. The identity and authority of the law enforcement official must be verified with proper identification for any request for protected health information (PHI) from Flagler Hospital.
2. PHI may be disclosed to law enforcement with a signed authorization from the patient.
3. PHI may be disclosed to law enforcement without a patient authorization in these circumstances:
 - To prevent or lessen a serious and imminent threat to the health or safety of an individual or the public or to identify or apprehend an individual who appears to have escaped from lawful custody.
 - To report PHI that Flagler Hospital in good faith believes to be evidence of a crime that occurred on hospital premises.
 - To alert law enforcement to the death of a patient when there is a suspicion that death resulted from criminal conduct.
 - When required by law to do so, such as reporting of gunshots or other life-threatening injuries indicating violence as well as reporting of suspected abuse, neglect or domestic violence.
 - To comply with a court order or court-ordered warrant, a subpoena or summons issued by a judicial officer, or to respond to an administrative request or investigative demand.
 - For purposes of identifying or locating a suspect, fugitive, material witness or missing person, but the information must be limited to demographic information about the person.
 - To respond to a request for PHI about an adult victim of a crime when the victim agrees (or in limited circumstances if the individual is unable to agree).
 - In accordance with FS 316.1932, alcohol levels or the presence of chemical/controlled substances in blood tests may be released to law enforcement officials investigating a motor vehicle accident.
 - To correctional institutions or law enforcement officials having lawful custody of an inmate if the PHI is needed to provide health care to the individual; for the health and safety of the individual, other inmates, officers or employees of or others at a correctional institution or responsible for the transporting or transferring inmates; or for the administration and maintenance of the safety, security, and good order of the correctional or law enforcement facility.