1.0 PURPOSE

To protect patient privacy rights regarding marketing activities and to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Regulations and the Health Information Technology for Economic and Clinical Health (HITECH) Act.

2.0 SCOPE

The UMMC Disclosure of Protected Health Information (PHI) through Marketing Activities Policy applies to any UMC employee who discloses PHI for marketing activities.

3.0 STANDARDS

Marketing communications to patients in the absence of the patient’s written authorization is prohibited. The following exceptions apply:

1) UMMC receives no compensation for the communication;

2) The communication is face-to-face;

3) The communication is to provide refill reminders or other communication involving a drug or biologic the patient is currently being prescribed and the payment is limited to reasonable reimbursement of the costs of the communication (no profit);

4) The communication is via newsletters, mailings or other means regarding treatment options, health related information, disease-management programs, wellness programs, or other community-based initiatives or activities in which UMMC is participating.
5) The communication involves general health promotion, rather than the promotion of a specific product or service; or

6) The communication involves government or government-sponsored programs.

4.0 CONTACT INFORMATION

For questions about the UMMC Disclosure of PHI through Marketing Activities Policy or for more information, call the Office of Integrity and Compliance at 815-3944.