



Vice President and Chief Executive Officer of the Medical Center

MEDICAL CENTER POLICY NO. 0251

- A. SUBJECT: Uses and Disclosure of Protected Health Information for General Fundraising Purposes
- B. EFFECTIVE DATE: July 1, 2013 (R)
- C. POLICY:

The University of Virginia Medical Center shall comply with regulations under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and the Health Information Technology for Economic and Clinical Health Act of 2009 (“HITECH”) that establish the requirements for using and disclosing patients’ health information for fundraising purposes. All fundraising and development activities shall be approved by and coordinated through the Health System Development Office.

D. PROCEDURES:

1. The Medical Center, including all clinical departments, and service areas, may collect internally, and provide to the University of Virginia Office of Health System Development, and the University of Virginia Health Foundation for use in fundraising on behalf of the Health System, the following information without obtaining a specific authorization from patients or their legally authorized representatives¹:
 - Patient’s Name
 - Address
 - Phone Number and other contact information
 - Dates of Service
 - Age and date of birth
 - Gender
 - Insurance Status
 - Names of the patient’s physicians
 - Departments/ areas where the patient received treatment or services
 - Limited information regarding the outcomes of treatment, to be used solely for screening purposes

2. *Use or Disclosure of Information about a patient’s diagnosis or the nature of services provided requires patient’s written authorization prior to use or disclosure:*

¹ “Legally authorized representative” has the same meaning as such terms as “legal representative”, “surrogate decision maker”, “healthcare agent” and “authorized agent.” appearing in other Medical Center policies.

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- a. Except for the information listed in section D.1 above, identifiable information about a patient, including diagnoses or the nature of services provided, cannot be collected, used, or disclosed for fundraising by the Medical Center and its clinical departments and service areas without a valid written authorization signed by the patient or a legally authorized representative. Patient names, photographs, or other identifiable information (including but not limited to diagnostic and treatment information) may not be disclosed in print or video solicitations without a valid written authorization signed by the patient or a legally authorized representative.
 - b. Authorization forms for these uses may be obtained by contacting the University of Virginia Health System Development Office.
 - c. All authorizations and revocations of authorizations shall be promptly submitted to the University of Virginia Health System Development Office, which shall maintain a file of valid authorizations and shall track and implement all revocations. Authorizations and revocations will be maintained for six years from the date signed or the date last in effect, whichever is later.
3. *Fundraising Materials Must Originate from Health System Development or University of Virginia Health Foundation:*
All fundraising materials sent to prospective donors must originate from University of Virginia Health System Development or the University of Virginia Health Foundation and must prominently identify the University of Virginia Health System as the source of the communication.
4. *Patient Opt Out:*
All fundraising communications to patients must provide a clear and conspicuous opportunity for the patient to elect not to receive any further fundraising communications, and provide instructions, in a clear and conspicuous manner, for how the patient may opt-out of receipt of further fundraising communications by telephone call to the University of Virginia Health System Development Office. A patient's choice of whether to opt out of receiving fundraising communications shall not affect provision of care. The following notice must appear on every newsletter, direct mail appeal, etc., not in fine print:

"Please call us at one of the following telephone numbers if you wish to have your name removed from the list to receive fundraising requests supporting the University of Virginia Health System in the future:

*University of Virginia Health System Development Office
(800)297-0102 or (434)924-8432.*
5. *Physicians:*
The University of Virginia Health System Development Office will work with individual physicians who consent to review their patient lists with a Development Office staff member, in order to identify patients who may receive solicitations that do not use or disclose the patient's health information, unless documented as provided to the Development Office by the patient or other non-Health System source.

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6. *Volunteers:*

Volunteers with University of Virginia Health System Development and University Development may receive patients' information as provided in this Policy, in order to assist in fundraising efforts. Volunteers shall receive appropriate training regarding their obligation to keep all patient information confidential.

7. *Use of Patient Information for Marketing Activities:*

Consult [Medical Center Policy No. 0252 "Use and Disclosure of Protected Health Information for Marketing and Related Purposes"](#) regarding use of patients' information for marketing and related purposes.

SIGNATURE:



R. Edward Howell, CEO, UVA Medical Center

DATE:

6/20/13

Medical Center Policy No. 0251 (R)

Approved September 2003

Revised September 2006, September 2009, September 2012, June 2013

Approved by Special Advisor to CEO

Approved by Medical Center Administration