Applicability: UW Medicine

Policy Title: Use & Disclosure of Protected Health Information Permitted for Workers Compensation

Policy Number: PP-161

Superseded Policy(ies) or Entity Policy: N/A

Date Established: April 10, 2003

Date Effective: July 1, 2014

Date Revised: May 21, 2007; April 8, 2010; October 1, 2012; January 10, 2013

Next Review Date: July 1, 2017

PURPOSE AND SCOPE
This policy describes the circumstances in which UW Medicine may use or disclose protected health information (PHI) for Workers Compensation when the purpose of the use or disclosure is not for treatment, payment, healthcare operations nor authorized by the patient.

This policy is applicable to all UW Medicine entities.

POLICY PRINCIPLES/STATEMENT
See POLICY.

DEFINITIONS
See UW Medicine Compliance Policy: PP00 Glossary of Terms.

POLICY
I. Workers Compensation

UW Medicine may disclose PHI as authorized by and only to the extent necessary to comply with laws relating to workers’ compensation or other similar programs established by law that provide benefits for work-related injuries or illness without regard to fault.

Examples of worker’s compensation programs:

A. Labor & Industries (L&I) workers compensation program;
B. Self-insured workers compensation;
C. Crime Victims’ Compensation (CVC) program; and
D. Examinations required by the Washington Industrial Safety and Health Act (WISHA).
II. Documentation of disclosures

UW Medicine will document and retain in electronic or written format a record of all disclosures in accordance with the entity’s record retention policies and procedures. See UW Medicine Compliance Policy: PP-25 Accounting of Disclosures of Protected Health Information.

REGULATORY/LEGISLATION/REFERENCES

- 42 CFR, Part 2 – Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 CFR Parts 160 and 164; Section 164.512 – Uses & Disclosures for Which Consent, Authorization or Opportunity to Agree or Object is Not Required
- RCW 70.96A.150 – Records of Alcoholics and Intoxicated Persons
- RCW 70.02 – Medical Records - Healthcare Information Access and Disclosure
- RCW 71.05.120 – Mental Health Records
- WAC 388-865-0640 – Mental Health Records

PROCEDURE ADDENDUM(s) REFERENCES/LINKS

- UW Medicine Compliance Policy: PP-00 Glossary of Terms
- UW Medicine Compliance Policy: PP-25 Accounting of Disclosures of Protected Health Information

ROLES AND RESPONSIBILITIES

Defined within POLICY.

AUTHORITIES

<table>
<thead>
<tr>
<th>Custodian</th>
<th>Responsible Officer</th>
<th>Implementation Officer</th>
<th>Administrative Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>UW Medicine Compliance</td>
<td>UW Medicine Compliance</td>
<td>UW Medicine Compliance</td>
<td>UW Medicine Compliance</td>
</tr>
<tr>
<td>Author</td>
<td>Owner</td>
<td>Auditor</td>
<td>Endorser</td>
</tr>
<tr>
<td>UW Medicine Compliance</td>
<td>UW Medicine Compliance</td>
<td>UW Medicine Compliance</td>
<td>UW Medicine Executive Compliance Committee</td>
</tr>
</tbody>
</table>

APPROVALS

UW Privacy Official
Johnese M. Spisso, Chief Health System Officer,
UW Medicine & Vice President for Medical Affairs, UW