

# Southern Illinois Regional EMS System

## A-12 PATIENT CONFIDENTIALITY

### ALS/ILS/BLS/FR

#### General Guidelines:

- All patients have the right of every consideration to privacy. Case discussion, examination and treatment shall be conducted so as to protect each patient's privacy.
- The confidentiality of information pertaining to a patient must be safe guarded.
- Considerations shall be given to patients body exposure at the scene and when transporting to the receiving hospital/health care facility.
- EMS personnel should not divulge the names of EMS patients or their medical status or release the names of responding pre-hospital care providers on any particular run.
- No protected health information (PHI) should be released to any individual, agency, or media outlet without a signed written release from the patient.
  - HIPAA allows for the sharing of PHI for billing purposes and mandatory reporting.
    - Questions on these issues should be directed to your department's billing professionals and/or legal counsel.

#### Patient Care Documents and Materials:

- The patient care report (PCR) is a legal medical record and shall be treated with regards to patient confidentiality.
- Documents and materials containing PHI such as the patient's name, patient identifiers, and/or personal information shall not be openly distributed or in the possession of EMS providers for personal use.
  - This includes the obtaining and handling of digital media (video and photos)
  - Obtaining video and/or photos should rarely occur and only be captured in an effort to improve patient care. For example:
    - Obtaining a photo of a crash scene to help the receiving physician and staff better understand the mechanism of injury.
  - Digital media should only be captured on department owned/issued devices.
    - Photos and videos should not be obtained or stored on personal devices.
  - The acquisition, storage, and transmission of patient related digital media shall comply with all applicable HIPAA standards.
- Copies of patient records for education or skill performance must have PHI omitted.
- Any patient has the right to request and be given a copy of his/her PCR.
  - Patients requesting a copy must sign a release of medical records form provided by the agency.

#### Health Insurance Portability and Accountability Act (HIPAA)

- All SIREMS participating agencies are required to adhere to all HIPAA standards that apply to their department.

*All of the above information may be subpoenaed.*