

USE and DISCLOSURE OF PROTECTED HEALTH INFORMATION – FUNDRAISING, MARKETING AND SALE

Policy: The University of Connecticut typically does not and will not use protected health information (PHI) for fundraising or marketing purposes. Nor does or will the University typically engage in the sale of PHI. Should the University determine that it is appropriate to do any of these activities, the University will follow all requirements for such activities under HIPAA.

Rationale: To comply with applicable HIPAA requirements when implementing and conducting fundraising, marketing and similar activities.

A. Fundraising

1. The University does not currently, use PHI for fundraising purposes.
 - If the University expects to start fundraising activities, it will not use or disclose PHI for fundraising purposes, unless the use is included in the Notice of Privacy Practices.
 - If the University expects to start fundraising activities, it will describe how to opt out for receiving future fundraising communications in all fundraising materials it sends.
 - If the University expects to start fundraising activities, it will make reasonable effort to ensure that Individuals who decide to opt out are not sent such communications.

B. Marketing

Currently the University does not engage in marketing-related activities. However, should the University begin to do so, a signed authorization will be required for the use or disclosure of PHI for a purpose that encourages the Individual to purchase or use a product or service except for certain limited circumstances such as when the marketing communication is face-to-face or when marketing includes the distribution of a promotional gift of nominal value provided by the University.

C. Sale of PHI

The University will not sell any Individual's PHI unless the University has received a signed authorization specifying permission from the Individual to do so.

Reference:

§164.514 (f) Health Insurance Portability and Accountability Act of 1996

§164.514(f)(1)(i – vi) as amended by the HITECH Rule 1/25/13