

Guidelines for releasing patient information to the media

The Health Insurance Portability and Accountability Act (HIPAA) was designed to protect the privacy of patients. The act, however, has created much confusion about what sheriffs, fire chiefs, or other county officials can say in response to questions from the media about emergencies resulting in injuries or deaths. An article in the March-April 2004 issue of Sheriff magazine offers the following guidelines about what patient information can be released to the media:

General policy: Do not release the name of any person injured in an emergency incident. Also, do not disclose any information about a person's injuries. Refer the media to the treating hospital for information about a patient's condition. Do not release the name of a deceased person until after the next-of-kin has been notified.

Age and gender: You may release the age and gender of a patient. For example, you can say that a 39-year old male was transported to County General Hospital. Avoid releasing the age of a very young or a very old patient because it could help the media identify that person.

Patient pickup location: The location of the incident and the initial point of transport can be released. If the pickup is at a residence, do not give the exact street address to avoid accidentally identifying the patient. For example, you can say that the patient was transported from the 500 block of Main Street. In smaller communities, use more discretion when releasing location information.

Name of the hospital: You may indicate the name of the hospital to which the patient was transported as long as that information does not give away the condition of the patient. For example, do not name a psychiatric hospital, a drug and alcohol treatment center, or a morgue.

Number of patients: You may indicate the total number of patients involved in the incident. For example, you can say that four people were transported from the scene of the traffic accident to County General Hospital.

Designation of crew members: Crew members working at the scene of the incident may be identified by their titles (e.g., paramedics, EMTs or law enforcement officers). Do not mention them by name and do not indicate the type of care they provided. Also, if a crew member is injured at the scene, do not release his or her name unless he or she specifically gives you permission to do so.

Type of transport: You can indicate that the emergency required the use of an ambulance or helicopter to transport the patient to the hospital.

Non-protected health information: Non-protected health information, such as aggregate health information, may be released to the media consistent with county policy and state law. For example, "During the festival, EMTs treated 45 people for various heat related complaints." When the patient is involved in a criminal matter, some patient information becomes public record. For example, you may say that the unidentified driver's blood alcohol level was 0.21.

Disclosure authorized by patient: If the patient, or the patient's legally responsible decision maker, signs a form authorizing the release of private health information, that information may be released.

CTSI recommends that counties work with their legal council to develop their own policies regarding the media. For more information, contact CTSI at 303-861-0507.

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