

HARBOR-UCLA MEDICAL CENTER

**SUBJECT: INCIDENTAL USES AND DISCLOSURES OF  
PROTECTED HEALTH INFORMATION**

**POLICY NO: 716**

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**PURPOSE:**

The purpose of this policy is to outline appropriate Uses and Disclosures of Protected Health Information (“PHI”) by the Harbor-UCLA Medical Center that are incidental to Uses and Disclosures otherwise made in accordance with the Privacy Standards of the Health Insurance Portability and Accountability Act of 1996, (“HIPAA”).

**POLICY:**

Harbor-UCLA Medical Center will take steps to ensure that all Incidental Uses and Disclosures are in accordance with HIPAA.

**DEFINITIONS:**

*Incidental Use or Disclosure* means a Use or Disclosure of PHI that is incidental to or a byproduct of a Use or Disclosure otherwise appropriate under or permitted by HIPAA.

**PROCEDURE:**

- I. Harbor-UCLA Medical Center Workforce Members may make Uses or Disclosures of PHI that are incidental to or a byproduct of a Use or Disclosure permissible under HIPAA and under Harbor-UCLA Medical Center’s HIPAA-related policies and procedures without an Authorization under the following circumstances:
  - A. Workforce Members must comply with Harbor-UCLA Medical Center Policy on Uses, Disclosures of, and Requests for PHI in Compliance with the Minimum Necessary Standards; and
  - B. Workforce Members must apply reasonable safeguards to limit the Incidental Use or Disclosure (see DHS Policy No. 361.23, “Safeguards for Protected Health Information”). Examples of reasonable safeguards include taking appropriate precautions to avoid being overheard when discussing an individual’s PHI with that individual, his or her family members or other Workforce Members or Medical Staff.

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**EFFECTIVE DATE: 04/14/03**

**SUPERSEDES:**

**REVISED:**

**REVIEWED: 03/14, 07/17**

**REVIEWED COMMITTEE: N/A**

**APPROVED BY:** \_\_\_\_\_

**Kim McKenzie, RN, MSN, CPHQ**  
Chief Executive Officer

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**Anish Mahajan, MD**  
Chief Medical Officer

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**Patricia Soltero Sanchez, RN, BSN, MAOM**  
Chief Nursing Officer

Signature(s) on File.

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**REFERENCES:**

45 Code of Federal Regulations, Parts 160 And 164;45 Code of Federal Regulations § 164.502(a).

DHS Policy No. 361.8, "Minimum Necessary Requirement For Use And Disclosure of Protected Health Information (PHI)"

DHS Policy No. 361.4, "Use and Disclosure of Protected Health Information (PHI) Requiring Authorization"

DHS Policy No. 361.23, "Safeguards for Protected Health Information"