
CurrentCare Disclosure of Protected Health Information of a Minor Policy

BRIEF DEFINITION:

The Disclosure of Protected Health Information of a Minor Policy outlines the process of protection and/or disclosure of certain information of a minor who has enrolled in CurrentCare. Pursuant to Rhode Island State law, the following health care information must be kept confidential when an unemancipated minor consents to his or her own care:

- Testing and treatment for HIV,
- Testing and treatment for reportable communicable diseases,
- Routine emergency or surgical care when 16 years old or older or married,
- Abortion or non-invasive, non-custodial substance abuse treatment, if consent is obtained through family court.

Federal regulations (Title X) provide that information as to the facts and circumstances relating to the receipt of family planning methods and services to adolescents are to be kept confidential.

BACKGROUND AND PURPOSE:

The Rhode Island Health Information Exchange Act of 2008 provides that a patient or his/her authorized representative has the right:

- To obtain a copy of his or her Protected Health Information from CurrentCare; and
- To obtain a copy of a disclosure report pertaining to his or her Protected Health Information.

This Policy sets forth the underlying principles by which Protected Health Information of a minor will be disclosed from CurrentCare. These principles are to:

- Follow Federal and State law regarding disclosure;
- Respect doctor-patient confidentiality;
- Provide authorized health care providers with a complete patient record; and
- Enable and encourage all people, regardless of age, to participate in CurrentCare.

POLICY

1. For an enrolled individual under the age of ten years old, a parent or authorized representative may obtain a complete copy of the minor's record from CurrentCare.
2. When enrolling an individual between the ages of ten and eighteen years old, the

parent or authorized representative must be notified that the state designated Regional Health Information Organization, the Rhode Island Quality Institute (RIQI), will disclose the minor's Protected Health Information relating to HIV, communicable diseases, abortion, substance abuse or family planning for which the minor consented to treatment only to the minor's authorized health care providers, who will follow their established procedures regarding the disclosure of such information to the minor or the minor's parent or authorized representative. The notification that such information will not be released to a parent or authorized representative will be included on the CurrentCare Enrollment and Authorization Form.

3. In addition to the information set forth in Paragraph 2, above, when enrolling an individual between the ages of sixteen and eighteen years old, or of a married minor, the parent or authorized representative must be notified that RIQI will disclose the minor's Protected Health Information relating to routine emergency or surgical care for which the minor consented to the treatment only to the minor or the minor's authorized health care providers. The notification that such information will not be released to a parent or authorized representative will be included on the CurrentCare Enrollment and Authorization Form.
4. When a parent or authorized representative of a minor between the ages of ten and eighteen requests disclosure of that minor's record from CurrentCare, RIQI will not disclose the following information to the parent or authorized representative nor notify the parent or authorized representative that RIQI has withheld any information from disclosure:
 - Testing and treatment for HIV,
 - Testing and treatment for reportable communicable diseases,
 - Routine emergency or surgical care when 16 or older or married,
 - Abortion or non-invasive, non-custodial substance abuse treatment, if consent is obtained through family court,
 - Family planning services.

To the extent possible, the disclosed information will not suggest that data has been withheld.

5. In determining what data to disclose in accordance with this policy and law, RIQI will consult a health care professional who is qualified to make the determination of which information to disclose to the parent or authorized representative. Whenever feasible, the primary professional as identified in the medical record by RIQI will be consulted before disclosing the information.
6. RIQI will maintain a copy of the disclosed information in accordance with law.

Ver. 3 *[Signature]* 11/29/2012
COO Date

Approved: June 27, 2012
Audit & Compliance Committee E-Approval

Ver. 2 Approved: May 30, 2012
COO Date

Approved: April 4, 2012
Audit & Compliance Committee Meeting Date

Ver. 1 Approved: January 25, 2012
Policy & Legal Committee Date