

**DISCLOSURE OF PROTECTED HEALTH INFORMATION TO
WORKERS' COMPENSATION PROGRAMS POLICY**

RESPONSIBILITY: Privacy Official or Designee(s)

BACKGROUND:

States have established workers' compensation programs to provide health benefits and income protection to workers injured on the job. It is necessary for these programs to have certain protected health information (PHI) to determine whether an applicant for benefits is entitled to receive benefits. Protected health information may be disclosed to these programs in accordance with applicable state law and this policy.

POLICY:

Members of the workforce may disclose protected health information as requested by state workers' compensation agencies, and by insurance companies that provide benefits under state workers' compensation laws, without obtaining the written authorization of the person to whom the information pertains. In the case of employers who self-insure for workers' compensation benefits, the PHI may be disclosed to the employer.

The PHI that is disclosed is limited to that which is necessary to establish an individual's eligibility for benefits or to adjudicate the patient's claim for benefits.

See disclosure in DEFINITIONS in the Reference Section.

Effective Date: 4/14/03

Revised Dates:



Jerome E. Lovrien, Commissioner, Bureau for Behavioral Health and Health Facilities