

**REPORTING PROTECTED HEALTH  
INFORMATION TO EMPLOYERS UNDER OSHA  
AND SIMILAR LAWS PROCEDURE**

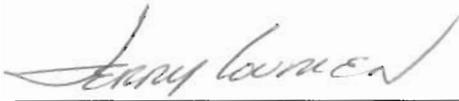
1. When a patient is referred by his or her employer to BHHF for examination or treatment of a suspected work-related injury or illness, or for purposes of determining or monitoring the degree of exposure to a hazardous substance, the professional who first examines the patient must provide him or her with the notice required by this policy. A notation must be made in the patient's medical record that this notice was given to the patient.
2. If the employee is examined or treated on the employer's premises, the health care professional may give the employee a substantially equivalent notice prepared by the employer, instead of the BHHF notice. The professional does not need to give the patient a written notice at all, if a notice that is substantially equivalent to the BHHF notice is prominently posted in the location where the employee is examined or treated. In either case, unless the location is an employee health clinic operated by BHHF, the health care professional must note in the patient's medical record that either the employee received the employer's notice, or that the employer had posted the required notice in the place where the care was given.
3. The Privacy Official or Designee(s) will assure that all BHHF locations have a sufficient supply of the required notice, and that registration and health care personnel are trained in its use.
4. The Privacy Official or Designee(s) will assure that all employee health clinics operated by BHHF or BHHF SYSTEM for their employees have posted the required notice in a prominent location.
5. The Privacy Official or Designee(s), with the advice of the Designated Attorney or Designee(s), will prepare a list of what PHI is necessary for employers to comply with OSHA, MSHA, and similar state laws. This list will be updated whenever applicable laws change. A current copy of this list will be distributed to all BHHF departments and locations where direct patient care is provided, including any employee health clinics operated by BHHF.
6. Disclosures made under this policy must be recorded for inclusion in any accounting of disclosures. See ACCOUNTING OF DISCLOSURES OF PROTECTED HEALTH INFORMATION.

**REFERENCE:** 45 CFR § 164.512(b)(1)(v)

See also: ACCOUNTING OF DISCLOSURES OF PROTECTED HEALTH INFORMATION

Effective Date: 4/14/03

Dates Revised:



---

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