

FACSIMILE MACHINES AND PROTECTED HEALTH INFORMATION POLICY

RESPONSIBILITY: Privacy Official or Designee(s)

BACKGROUND:

Facsimile (“fax”) machines are a convenient way to transmit small amounts of data from one location to another. However, the use of fax machines to transmit protected health information raises concerns regarding the confidentiality of that information. For instance, a dialing error may direct the information to the wrong fax machine. Or a fax that is received by a machine located in an unsecured area may be read by someone who does not need to know the information. Both of these situations would be a breach of Behavioral Health and Health Facilities (BHHF) policy.

POLICY:

1. Protected health information (PHI) may be transmitted by facsimile machine (“fax”), provided all other BHHF policies and procedures regarding the disclosure of PHI are observed.
2. In order to reduce the potential for misdirected faxes, frequently used destination numbers will be pre-programmed into fax machines and tested before being used to transmit PHI.
3. To further reduce the possibility of misdirected faxes, each fax machine will display a key that identifies the destination for each pre-programmed fax number.
4. When PHI is faxed to a destination number that is not pre-programmed, the fax machine operator will double check the accuracy of the number in the machine’s display before sending the fax.
5. All fax messages will include a cover sheet with the following statement:

“Confidentiality Statement: The documents accompanying this transmission contain confidential health information that is legally privileged. This information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information in error, please notify the sender immediately and arrange for the return or destruction of these documents.”

6. Fax machines that are used to transmit or receive PHI shall be placed in secure locations. Whenever possible, fax machines used to receive PHI will not be used regularly for other purposes.
7. Transmittal sheets will be checked immediately after each transmission of PHI, to assure that the information was sent to the correct number. If an error is detected, the sender must immediately act to correct the error, and report the error to the BHHF Privacy Official or Designee(s).
8. Transmittal sheets will be filed with the PHI that was transmitted, to document the recipient.
9. Use of fax machines with carbon roles will be discontinued wherever reasonably possible. Carbon roles will be disposed of in a way that makes it impossible to read the image on the film.

Effective Date: 4/14/03

Dates Revised:



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