



**Office of Regulatory Compliance**

## **HIPAA Policy 1.6**

<b>Title:</b>	<b>Verification of Individuals</b>
<b>Source:</b>	<b>Office of Regulatory Compliance</b>
<b>Prepared by:</b>	<b>Assistant Vice Chancellor for Regulatory Affairs</b>
<b>Approved by:</b>	<b>Vice Chancellor for Research</b>
<b>Effective Date:</b>	<b>July 1, 2013</b>
<b>Replaces:</b>	<b>02/26/03</b>
<b>Applies:</b>	<b>All UCD campuses</b>

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## **Introduction**

### ***Purpose***

The purpose of this policy is to identify the verification process prior to disclosing PHI.

### ***Reference***

45 C.F.R. § 164.514(h)

### ***Applicability***

This policy applies to all UCD officers, faculty, staff, employees, students, trainees and volunteers.

## **Policy**

Except for disclosures for involvement in the individual's care and notification purposes, before disclosing any PHI the person who is about to make the disclosure must verify the identity of the person requesting the PHI and the authority of any person to have access to PHI, if applicable. It is also the responsibility of the person who is disclosing the PHI to obtain any documentation, statements, or representations, whether oral or written, from

the person requesting the PHI when such documentation, statement, or representation is required by UCD HIPAA policies.

## Procedures

### 1. If disclosure is conditioned.

If a disclosure of PHI is conditioned by HIPAA or UCD HIPAA policy on the receipt of particular documentation, statements, or representations from the person requesting the PHI, the person disclosing the PHI must make a reasonable effort to verify the validity of a disclosure of PHI before the PHI is disclosed.

### 2. Identity of public officials.

The person making the disclosure may reasonably rely on any of the following to verify identity when the disclosure of PHI is to a public official or a person acting on behalf of the public official:

- a. Presentation of an agency identification badge, other official credentials, or other proof of government status;
- b. Appropriate government letterhead on which the request is written; or,
- c. A written statement on appropriate government letterhead that the person is acting under the government's authority or other evidence or documentation that establishes that the person is acting on behalf of the public official.

### 3. Authority of public officials.

The person making the disclosure may reasonably rely on any of the following to verify authority when the disclosure of PHI is to a public official or a person acting on behalf of the public official:

- a. A written statement of the legal authority under which the PHI is requested; or,
- b. If a written statement is impracticable, an oral statement of legal authority. If an oral statement is presented the person who receives the statement should document what was said.

### 4. Exercise of professional judgment.

Professional judgment should be exercised at all times.

