

# PLUMAS COUNTY, CALIFORNIA



## HIPAA RELATED POLICY AND PROCEDURES

EFFECTIVE APRIL 14, 2003

### USE AND DISCLOSURE OF PHI TO AVERT A SERIOUS THREAT TO HEALTH OR SAFETY

**Policy:** To avert a serious threat to health or safety, Plumas County may use or disclose PHI to someone reasonably able to prevent or lessen the threat.

**Purpose:** Plumas County is permitted to use or disclose PHI without individual authorization if, in good faith, the County believes the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public.

#### **Responsibilities:**

- Plumas County's belief that the use or disclosure is necessary should be based upon an employee's actual knowledge or on a credible representation by a person with apparent knowledge and authority.
- Use or disclosure to avert a serious threat to health or safety should adhere to the minimum necessary standard or, to the standards for disclosures for law enforcement purposes if applicable.

#### **Process:**

##### Permitted use and disclosure:

- Will prevent or lessen a serious and imminent threat; the disclosure can only be made to a person or persons reasonably able to prevent or lessen the threat.

##### Prohibited disclosures:

Plumas County may not use or disclose PHI to law enforcement to assist in identifying or apprehending an individual when:

- The individual was being treated by the County to affect the propensity to commit the criminal conduct that is the basis for the disclosure.
- The individual has requested treatment, counseling or therapy to affect the propensity to commit the criminal conduct that is the basis for the disclosure.

Date issued: May 25, 2004

Last revision date: September 21, 2004

Reference: 45 CFR 164.512(j)