



## PLUMAS COUNTY, CALIFORNIA

### HIPAA RELATED POLICIES AND PROCEDURES

EFFECTIVE APRIL 14, 2003

#### VERIFICATION OF IDENTITY AND AUTHORITY OF PERSON REQUESTING PROTECTED HEALTH INFORMATION

**Policy:**

Plumas County staff must verify the identity and authority of those requesting protected health information.

**Purpose:**

Plumas County must verify and document the identity of a person requesting protected health information and the authority of any such person to have access to the information, if the identity or any such authority of such person is not known. Knowledge of the person requesting protected health information may take the form of:

- A known place of business;
- A known address;
- A known phone or fax number; or
- A known person.

**Responsibilities:**

Plumas County must obtain any documentation statements, or representations, whether oral or written, from the person requesting protected health information.

**Process:**

When the person requesting protected health information is unknown to Plumas County staff, then Plumas County staff shall verify the authority and identity as follows:

- **Identity:** Staff shall use photo ID, such as a driver's license, to verify the identity of the person making the request.
- **Authority:** Staff shall require documentation of power of attorney from personal representatives and proof of official request and status from public officials. Staff must determine that the adult acting for a minor has the requisite relationship to the child.

Plumas County is required to give an individual access to their own protected health information after verifying the individual's identity.

Plumas County is required to verify the identity and authority of persons assisting in an individual's care before disclosing protected health information. Plumas County staff shall exercise professional judgment as to whether the disclosure is in the individual's best interest when the individual is incapacitated or not available to agree to the disclosure.

Plumas County is required to verify the identity and authority of public officials or their representatives requesting protected health information in an official capacity. Plumas County staff may rely upon official credentials, agency identification badges, and written requests or statements on appropriate government letterhead for verification.

If there is an imminent, serious threat to safety, it is lawful to disclose protected health information to prevent or lessen this threat. In such emergencies, Plumas County is not required to demand written proof that the person requesting the protected health information is legally authorized; reasonable reliance on verbal representation is appropriate.

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Reference: 45 CFR 164.502(f), 45 CFR 164.501(b), 45 CFR 164.512(a)(f) and 45 CFR 164.514(h).