



PRINCE GEORGE'S COUNTY, MARYLAND  
FIRE/EMERGENCY MEDICAL SERVICES DEPARTMENT GENERAL ORDER

<b>General Order Number:</b> 03-05	<b>Effective Date:</b> January 2010
<b>Division:</b> Communication and Information Management/Technology	
<b>Chapter:</b> Health Insurance Portability and Accountability Act of 1996 (HIPAA)	
<b>By Order of the Fire Chief:</b> Marc S. Bashoor	<b>Revision Date:</b> N/A

## POLICY

The purpose of this General Order is to ensure the Prince George's County Fire/Emergency Medical Services (EMS) Department is compliant with the simplification standard of the Health Information Portability Accountability Act of 1996 known as the Privacy Rule; Code of Federal Regulations, Title 45, Parts 160 and 164).

## DEFINITIONS

**Business Associate** – A person or organization that performs a service for a covered entity that uses or discloses individually identifiable health information including, but not limited to, billing, quality assurance, peer review, and claims processing.

**Covered Entity** – A health plan, a health care clearinghouse, or a health care provider who transmits any health information in electronic form in connection with a transaction involving the transmission of information between two entities.

**Designated Record Set** – Includes medical records that are created by the Prince George's County Fire/EMS Department to make decisions about the patient. The Designated Record Set for the Prince George's County Fire/EMS Department is the Electronic Maryland Ambulance Information System (EMAIS) and Prince George's County Fire/EMS Department Patient and Refusal of Care forms.

**Disclosure** – The release, transfer, provision of access to, or divulging in any other manner of information to another entity.

**Health Care** – Care, services, or supplies related to the health of an individual.

**Health Care Operations** – Activities not directly related to treatment or payment such as quality assessment, protocol development, improvement activities, training programs, fraud and abuse detection, and compliance programs.

**Health Care Provider** – Provider of medical or health services and any other person who bills, furnishes, or is paid for health care in the normal course of business.

**Health Information** – Any information, oral or recorded in any form or medium, that is created or received by a health care provider and relates to the past, present, or future physical or mental health/condition of an individual or the past, present, or future payment for health care services provided to an individual.



**Individually Identifiable Health Information** – Information that is a subset of health information including demographic information and is created or received by a health care provider; relates to the past, present, or future physical or mental health, or condition of an individual and identifies the individual, or there is a reasonable basis to believe the information may identify an individual.

**Privacy Rule** – The Standards of the Privacy of Individually Identifiable Health Information as promulgated by the United States Department of Health and Human Services.

**Protected Health Information** – Health information collected on an individual, including demographics or other potentially identifying material, that is created or received from a health care provider relating to the past, present, or future physical or mental health or condition of the individual.

**Transaction** – The transmission of information between two parties to carry out financial or administrative activities related to health care.

**Use** – The sharing, employment, application, utilization, examination, or analysis of individually identifiable information held within the entity that maintains the information.

## **PROCEDURES / RESPONSIBILITIES**

### **1. General Provisions**

Effective April 14, 2003, the Federal Government implemented legislation that ushered in the most significant changes in the health care industry since Medicare. This new legislation is known as the Health Insurance Portability and Accountability Act of 1996 (HIPAA). As a provider of emergency medical services, the Prince George's County Fire/Emergency Medical Services (EMS) Department is a "covered entity" and is required to act in accordance with the administrative simplification standards of HIPAA.

This General Order will establish guidelines to ensure that the Department is compliant with the Privacy Rule portion of the administrative simplification standard of HIPAA. The Privacy Rule establishes, for the first time, a foundation of Federal protections for the privacy of protected health information. It is essential to note that the Privacy Rule is intended to strike a balance that provides strong privacy protections without interfering with the quality of patient health care delivery.

The HIPAA Privacy Rule legislates the following:

- Patients are permitted access and more control over their health information.
- It sets restrictions on the use and release of health records.
- It establishes appropriate safeguards that health care providers and others must achieve to protect the privacy of health information.
- It holds violators accountable, with civil and criminal penalties that can be imposed if health care providers violate patients' privacy rights.



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- It strikes a balance when public responsibility supports disclosure of some forms of data – for example, to protect public health.

The HIPAA Privacy Rule also extends several new rights directly to the patient concerning their health information. The Department must permit patients to exercise the following:

- Request copies of their health information.
- Request for an amendment of health information (provider must concur).
- Request an accounting/history of disclosures.
- Request special handling of their health information.
- Request confidential communications.
- File a complaint.

All inquiries for request of information or complaints regarding disclosure of protected health information should be directed to the Information Management office.

### 2. Training

The Information Management office or the Fire/Rescue Training Academy, or their designee, will conduct HIPAA Privacy Training. The Information Management office will also be responsible for remaining abreast of all changes in the Health Insurance Portability Accountability Act of 1996 and ensure that all members are advised of said changes.

All members of the Prince George's County Fire/EMS Department must complete a one-time HIPAA training class.

Verification of training will be the participant's signature on the class roster and their signature on the Department's Policy on Confidentiality form (Attachment #1).

New members to the Prince George's County Fire/EMS Department will receive HIPAA training through career or volunteer recruit school and through Office of Personnel and Labor Relations employee orientation.

### 3. Policy on Confidentiality (Attachment #1)

All members have the responsibility of protecting patient privacy. Patient health information **must remain confidential.**

Personnel are **not permitted** to release patient information outside the Department with the exception of the customary health care communication and practices between emergency medical providers and health care providers. Personnel are not to use or disclose more protected health information than necessary to perform their job or to fulfill the purpose of the use of disclosure.

All members should sign a Policy on Confidentiality during HIPAA training. Completed Policy on Confidentiality forms will be stored in the member's personnel file.



## **Notice of Privacy Practices**

The HIPAA Privacy Rule gives patients a fundamental right to be informed of the privacy practices of their health care provider, as well as to be informed of their privacy rights with respect to their personal health information. The Prince George's County Fire/EMS Department has developed a written "Notice of Privacy Practices" that achieves the Code of Federal Regulations, Title 45, Parts 164.502 requirement.  
(Attachment #2)

The Notice of Privacy Practices informs the patient of their health information rights, how the Department uses and releases health information, safeguards established by the Department to protect patient health care information and contact information.

Copies of the "Notice of Privacy Practices" should be stored on all apparatus and within station files for distribution to those that make a request. Personnel are permitted to distribute the "Notice of Privacy Practices" upon request.

The "Notice of Privacy Practices" will be posted on the Department's web site.

## **Use and Disclosure**

### **All requests for disclosure of information shall be forwarded to Information Management.**

The Information Management office is the custodian of the records and is the only office authorized to release health information providing it is compliant with all HIPAA regulations.

All requests for disclosure of information should be directed to Information Management at (301)-883-7183.

Stations will be provided with Information Management business cards (Attachment #3) that can be given to citizens requesting release of information.

All accidental breaches of protected health care information should be reported to the Information Management office. An example of an accidental breach includes, but is not limited to, custody of completed or partially completed Electronic Maryland Ambulance Information System (EMAIS) form being lost.

## **Security of Protected Health Information**

Computer Aided Dispatch reports contain protected health information and should be shredded or discarded in a wastebasket.

All station computers used to input protected health information must be password protected to prevent unauthorized intrusions.



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Protected health information is prohibited from being placed on any Department/station website. Protected health information is defined as health information collected on an individual, including demographics or other potentially identifying material, that is created or received from a health care provider relating to the past, present, or future physical or mental health, or condition of the individual. This includes but is not limited to:

- Names
- Addresses
- Dates
- Vehicle Identifiers
- Facial Photographs
- Geographic Units
- Any Other Unique Identifier or Codes

### **REFERENCES**

N/A

### **FORMS / ATTACHMENTS**

Attachment #1 - Policy on Confidentiality

Attachment #2 - Your Health Information Rights

Attachment #3 - Use and Release of Health Care Information





# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Fire/EMS Department Headquarters



## Policy on Confidentiality

While providing emergency medical care, members of the Prince George's County Fire/Emergency Medical Services receive confidential health information in a variety of forms, including written, verbal, photographic, and electronic. The Prince George's County Fire/EMS Department prohibits the release of patient information outside the organization with the exception of the customary health care communications and practices between emergency medical providers and health care facilities. Department personnel are to use or disclose no more protected health information than necessary to perform their job or to fulfill the purpose of the use of disclosure. Acceptable uses of protected health information within the Department include but are not limited to peer review, internal audits, quality assurance and billing.

I understand that Prince George's County Fire/EMS Department provides services to patients that are private and confidential and that I am obligated to respect the privacy rights of the Department's patients. I understand that patients provide personal information and that such information may exist in a variety of forms such as electronic, oral, written or photographic and that all such confidential information is strictly confidential and protected by federal and state laws that prohibit its unauthorized use or disclosure.

I agree to comply with all confidentiality policies and procedures established by the Prince George's County Fire/EMS Department. I agree to notify the Information Management Office of Prince George's County Fire/EMS Department in the event of an inadvertent breach of patient confidentiality or questions regarding HIPAA policies and procedures. In addition, I understand that an intentional breach of patient confidentiality may result in suspension or termination of my employment/membership with the Prince George's County Fire/EMS Department.

I have read and understand all privacy policies and procedures that have been provided to me by the Prince George's County Fire/EMS Department. I agree to adhere to all conditions set forth in this agreement.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

9201 Basil Court, Fourth Floor East  
Largo, Maryland 20774

VOICE-(301) 883-5200 FAX-(301) 883-5212 TDD-(301) 925-5167







## THE PRINCE GEORGE'S COUNTY GOVERNMENT

Fire/EMS Department Headquarters

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

This notice is provided by Prince George's County Fire/Emergency Medical Services Department and is effective April 14, 2003

### YOUR HEALTH INFORMATION RIGHTS

You have the following rights regarding the health information that Prince George's County Fire/Emergency Medical Services Department collects and maintains about you:

Right to Inspect and Copy: You have the right to inspect and obtain a copy of your health information within 21 working days after you request disclosure. This request may include your medical, billing, or health care payment information. It does not include information that is needed for civil, criminal, administrative actions or proceedings, or psychotherapy notes. We may charge a fee for the costs of copying, mailing, or other supplies associated with your request.

Right to Amend: If you feel that the health information the Prince George's County Fire/EMS Department has created about you is incorrect or incomplete, you may ask us to amend that information. The Prince George's County Fire/EMS Department may deny your request if you ask to amend information that: 1) was not created by the Prince George's County Fire/EMS Department; 2) is not part of the health information kept by Prince George's County Fire/EMS Department; 3) is not part of the information which you would be permitted to inspect or copy; or 4) the information is determined to be accurate and complete.

Right to Accounting of Health Information Releases: You have the right to request a list of information releases that Prince George's County Fire/EMS Department has made of your health information during the 6 years before your request. The list will not include: 1) health information releases made for purposes of providing treatment to you, obtaining payment for services, or releases made for administrative or operational purposes; 2) health information releases made for national security; 3) health information releases made to correctional institutions and other law enforcement custodial situations; 4) health information releases Prince George's County Fire/EMS Department has made based on your written authorization; 5) health information releases to persons who are involved in your care; or 6) health information releases made prior to April 16, 2003.



Right to Request Restrictions: You have the right to request a restriction or limitation of the health care information Prince George's County Fire/EMS Department uses or releases for treatment, payment or operational purposes. The Prince George's County Fire/EMS Department is not legally required to agree with the requested restriction or limitation.

Right to Request Confidential Communication: You have the right to request that we communicate with you about health care matters in a certain way or at a certain location. For example, you can request that we only contact you at work or by email. The Prince George's County Fire/EMS Department will accommodate all reasonable requests. To request confidential communications, you must specify how or where you wish to be contacted.

Right to a Paper Copy of this Notice: You have the right to request a paper copy of this notice from us at any time.

All requests for inspecting, copying, amending, making restrictions, or obtaining an accounting of your health information must be made in writing to:

Prince George's County Fire/EMS Department  
Information Management  
9201 Basil Court  
Suite 352  
Largo, Maryland 20774

## **HOW PRINCE GEORGE'S COUNTY FIRE/EMS DEPARTMENT USES AND RELEASES HEALTH CARE INFORMATION**

Your health information may be used and released by the Prince George's County Fire/EMS Department for the purposes of providing treatment to you, obtaining payment for services, for administrative and operational purposes and to evaluate the quality of the services that you receive. Prince George's County Fire/EMS Department provides a wide range and variety of prehospital health care to the people in Maryland. For this reason, not all types of uses and releases can be described in this document. We have listed some common examples of permitted uses and releases below.

For Treatment: Caregivers, such as Emergency Medical Services (EMS) providers, nurses, doctors, therapists and social workers may use your health information, both oral and written, to determine your plan of care. EMS providers may transmit your health care information by radio, telephone, or in writing in order to assist in your care.



For Payment: Prince George's County Fire/EMS Department may release information about you to your health plan or health insurance carrier to obtain payment for services. For example, we may need to give your health plan information about a transport that you or your child received so your health plan will pay us or reimburse you for treatment or services the Prince George's County Fire/EMS Department provided. We may also share your information, when appropriate, with other government programs such as Workers' Compensation, Medicaid, or Medicare in order to coordinate your benefits and payments.

For Health Care Operations: Prince George's County Fire/EMS Department may use and release information about you to ensure that the services and benefits provided to you are appropriate and are high quality. For example, we may use your information to evaluate our treatment and service programs, or to evaluate the services of other EMS providers in our jurisdiction. We may combine health information about many individuals to research health trends, to determine what services and programs should be offered, or whether new treatments or services are useful. We may share your health information with billing services who perform functions on behalf of Prince George's County Fire/EMS Department. We require that our billing services abide by the same level of confidentiality and security as we do when handling your health information.

To Government Agencies Providing Benefits or Services: Prince George's County Fire/EMS Department may release your health information to government agencies that are providing you benefits or services when the information is necessary for you to receive those benefits and services.

For Public Health: Prince George's County Fire/EMS Department may release your health information to public health agencies, subject to the provisions of applicable state and federal law, for the following kinds of activities:

- (i) To prevent or control disease, injury or disability, or to keep vital statistics records such as births and deaths
- (ii) To notify social service agencies that are authorized by law to receive reports of abuse, neglect, or domestic violence
- (iii) To report reactions to medications or problems with products to the Food and Drug Administration (FDA).



For Health Oversight Activities: Prince George's County Fire/EMS Department may share your health information with State and local agencies for oversight activities as required by law. Examples of these oversight activities include audits, civil, administrative, or criminal investigations; inspections; licensure/certification or disciplinary actions; civil, administrative, or criminal proceedings or actions; or other activities necessary for appropriate oversight of:

- (i) The emergency medical care system and the health care system;
- (ii) Government benefit programs for which health information is relevant to beneficiary eligibility;
- (iii) Entities subject to government regulatory programs for which health information is necessary for determining compliance with program standards
- (iv) Entities subject to civil rights laws for which health information is necessary for determining compliance.

For Law Enforcement: Prince George's County Fire/EMS Department may release health information to a law enforcement official, subject to applicable federal and state law and regulations, for purposes that are required by law or in response to a court order or subpoena.

For Research: Prince George's County Fire/EMS Department may release your health information for research projects that have been reviewed and approved by an institutional review board or privacy board to ensure the continued privacy and protection of the health information.

Lawsuits and Disputes: If you are involved in a lawsuit or a dispute, Prince George's County Fire/EMS Department may release health information about you in response to a court or administrative order. We may also release health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

To Coroners, Medical Examiners and Funeral Directors: Prince George's County Fire/EMS Department may release health information to a coroner, medical examiner, or funeral director, as necessary to carry out duties as authorized by law.

To Avert A Serious Threat to Health or Safety: Prince George's County Fire/EMS Department may release your health information if it is necessary to prevent a serious threat to your health and safety, or to the health and safety of the public or another person.

For National Security: Prince George's County Fire/EMS Department may release your health information to authorized federal officials or other authorized persons for purposes of national security.

To a Correctional Institution: If you are an inmate of a correctional institution or under the custody of a law enforcement officer, Prince George's County Fire/EMS Department may release your health information to the correctional institution or law enforcement officer. The information released must be necessary for the institution to provide you with health care, protect



your health and safety or the health and safety of others, or for the safety and security of the correctional institution.

To the Military: If you are a veteran or a current member of the armed forces, Prince George's County Fire/EMS Department may release your health information as required by military command or veteran administration authorities.

To Individuals Involved In Your Care: Prince George's County Fire/EMS Department may release your health information to a family member, other relative, friend or other person whom you have identified to be involved in your health care or the payment of your health care.

To Family: Prince George's County Fire/EMS Department may use your information to notify a family member, a personal representative, or a person responsible for your care of your location, general condition, or death.

To Disaster Relief Agencies: Prince George's County Fire/EMS Department may release your health information to an agency authorized by law to assist in disaster relief efforts.

## **PRINCE GEORGE'S COUNTY FIRE/EMS DEPARTMENT'S REQUIREMENTS**

Prince George's County Fire/EMS Department is required by state and federal law to maintain the privacy of your health information. We are required to give you this notice of our legal duties and privacy practices with respect to the health information that Prince George's County Fire/EMS Department collects and maintains about you. We are required to follow the terms of this notice.

This notice describes and gives some examples of the permitted ways that your health information may be used or released. Release of your information outside of the boundaries of Prince George's County Fire/EMS Department-related treatment, payment, or operations, or as otherwise permitted by State or Federal law, will be made *only* with your specific written authorization. You may revoke specific authorizations to release your information, in writing, at any time. If you revoke an authorization, we will no longer release your health information to the authorized recipient(s), except to the extent that Prince George's County Fire/EMS Department has already used or released that information in reliance of the original authorization.

Prince George's County Fire/EMS Department reserves the right to revise this notice. We reserve the right to make the revised notice effective for the health information we already maintain about you, as well as any information we create or receive in the future. We will provide a copy of our revised notice to you upon request. We will post a copy of the current notice on our website at [www.pgfireems.com](http://www.pgfireems.com), and at all Prince George's County Fire/EMS Department fire stations. In addition, you may ask for a copy of our current notice of privacy practices anytime you visit one of our fire stations.



## **FOR MORE INFORMATION OR TO REPORT A PROBLEM**

If you believe your privacy rights have been violated, you may file a complaint with any or all of the agencies listed below. There will be no penalty or retaliation for filing a complaint.

### **Office of Civil Rights**

Phone: 866-OCR-PRIV (866-627-7748) or  
866-788-4989 TTY.

### **Secretary of Health and Human Services**

200 Independence Ave., SW,  
Washington, D.C. 20201  
Toll Free Phone: 877-696-6775

### **Privacy Officer**

Prince George's County Fire/EMS Department  
Information Management  
9201 Basil Court  
Suite 352  
Largo, Maryland 20774  
301-883-7183

### **Secretary of Health and Human Services**

200 Independence Ave., SW,  
Washington, D.C. 20201  
Toll Free Phone: 877-696-6775

To obtain more information about Prince George's County Fire/EMS Department's privacy practices, to receive additional copies of this notice or to receive request forms to access or amend health information, please contact:

Prince George's County Fire/EMS Department  
Information Management  
9201 Basil Court  
Suite 352  
Largo, Maryland 20774





Mail Requests to:

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### **Fire/Ambulance Report Requests Require**

Patient Name (*Ambulance*)  
(If other than patient - Medical Release Authorization Required)  
Date of Incident  
Approximate Time of Incident  
Location of Incident (Incl. Main Street/Cross Street)  
Self - Addressed - Stamped Envelope  
\$5 Check/Money Order Payable to:  
Prince George's County

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