


CHAPTER: 10	SECTION: 6	SUBJECT: MANAGEMENT OF INFORMATION
TITLE: TELEFACSIMILE (FAX)		
EFFECTIVE DATE: 05/12/03	REVIEWED/REVISED DATE: 12/7/04, 01/17/05, 01/17/06, 05/6/08, 03/2/11, 02/11/13, 03/11/14, 09/21/15, 04/6/17, 03/20/19, 6/3/20, 5/6/21, 10/20/22	
ISSUED AND APPROVED BY:  EXECUTIVE DIRECTOR		

- I. **PURPOSE:**
Often Community Mental Health of Ottawa County (CMHOC) personnel or organizations with which CMHOC does business that will transmit or receive confidential medical information by telefacsimile. Faxes can be inadvertently sent to unauthorized recipients, lost in transmission, or may not be received for other reasons. Thus, the potential for breach of consumer confidentiality exists every time someone transmits confidential information via fax. CMHOC has adopted this Fax Policy in order to reduce as much as possible the likelihood of this risk.
- II. **APPLICATION:**
This policy applies to all staff directly employed by CMHOC, and contractual organizations as specified in their contracts.
- III. **DEFINITIONS:**
Protected Health Information (PHI): PHI is individually identifiable health information that identifies the individual or that provides a basis for identifying the individual that is transmitted or maintained in any form or medium.
- IV. **POLICY:**
It is the policy of CMHOC that the use of faxes to transmit PHI will follow accepted security procedures.
- V. **PROCEDURE:**
All personnel must strictly observe the following standards relating to facsimile communications of consumer medical records and other PHI:
 - A. Staff will be oriented on consumer confidentiality at time of orientation.
 - B. CMHOC, its officers, agents, and employees will send health information by facsimile only when the original record or mail-delivered copies will not meet the needs of immediate consumer care.

- C. Personnel may transmit health records by facsimile when needed for patient care or required by a third-party payer for ongoing certification of payment for a hospitalized consumer.
- D. Personnel must limit information transmitted to that necessary to meet the requester's needs.
- E. Except as authorized by law, a properly completed and signed authorization must be obtained before releasing consumer information (see CMHOC policy on Confidentiality and Disclosure). All information released and transmitted by fax will be noted in the correspondence log of the consumer's record.
- F. Personnel may not send by fax especially sensitive medical information, including, but not limited to, AIDS/HIV information, alcohol and drug abuse information, and other sexually transmitted disease information without the express written authorization of the consumer.
- G. The cover page accompanying the facsimile transmission must include the confidentiality notice attached to this policy as Attachment A
- H. Personnel must make effort to ensure they send the facsimile transmission to the correct destination. Personnel must preprogram frequently used numbers into the machine to prevent misdialing errors. For a new recipient, the sender must verify the fax number before sending the facsimile, assure the machine is in a secure area, and verify the recipient's authority to receive confidential information.
- I. CMHOC's fax machines must be in areas that are secure. The CMHOC Privacy Officer is responsible for monitoring them.
- J. Each department is responsible for ensuring that incoming faxes are properly handled, not left sitting on or near the machine, but rather are distributed to the proper recipient expeditiously while protecting confidentiality during distribution.
- K. Personnel must report any misdirected **outgoing** faxes to the Privacy Officer as soon as possible and complete an Incident Report by the end of the work day. Their reports will be reviewed by the Compliance Committee to note any trends and opportunities for improvement.

VI. ENFORCEMENT:

CMHOC has appointed a Privacy Officer, Compliance Officer, and Security Officer who provide oversight and monitoring. Supervisors are responsible for understanding the policy and working with their staff to assure compliance. All officers, agents, and employees of CMHOC **must** adhere to this policy. Violation of this policy is grounds for disciplinary action, up to and including termination of employment and criminal or professional sanctions in accordance with CMHOC sanction policy and personnel rules and regulations.

VII. ATTACHMENT:
Confidentiality Notice

VIII. REFERENCE:
Ottawa County Policy, HIPPA Compliance
Ottawa County Policy, Electronic Communication