STATE OF UTAH DEPARTMENT OF HEALTH	Number: 12.07	Page 1 of 1
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POLICIES & PROCEDURES	Authorized By: W. David Patton	
Section: Privacy Policies	Subject: Verification of the Identity and Authority of a Member Requesting Disclosure of PHI	

Effective Date: October 9, 2012

Policy:

Members of the workforce who authorize the disclosure of PHI shall take reasonable steps to:

1. Verify the identity of the person to whom the PHI is disclosed.
2. Verify the person's authority to receive the PHI.

Reasonable steps include the following, depending on the circumstance:

1. If the employee knows the identity and authority of the recipient of the PHI first hand, no further verification is necessary.
2. PHI may be disclosed in accordance with DEPARTMENT's policies regarding disclosures to law enforcement officials, prison officials or disaster relief agencies when the identity and authority of the recipient of the information may reasonably be inferred from the circumstances.
3. PHI may be disclosed as required by a subpoena or other legal document if the document meets the provisions of existing policy in this area.
4. Any legal documentation that is required by DEPARTMENT policy, prior to disclosure of PHI, must be obtained before the PHI is disclosed.
5. DEPARTMENT employees may rely on any of the following to verify the identity of a public official who requests that PHI be disclosed without the member's authorization:
   a) An identification badge
   b) Official credentials
   c) Other proof of government status
   d) Written request on the appropriate agency letterhead along with official identification
   e) Written evidence is required, that a member, with identification is acting under government authority (such as a contract or purchase order that verifies that a private citizen is acting as an agent of a government agency in requesting the PHI) along with identification.
6. DEPARTMENT employees may rely on the following to establish the authority of a public official to receive PHI requested without the member's authorization:
   a) A written statement of legal authority to request the information
   b) An oral statement of legal authority (if a written statement is impractical under the circumstances)
   c) A legal process issued by a grand jury or a judicial or administrative tribunal