



*Issuing Department:* Internal Audit, Compliance, and Enterprise Risk Management

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## **Right to Request Confidential or Alternative Communications**

### **Policy**

NYU Langone Health permits patients to request confidential or alternative communications with respect to their Protected Health Information (“PHI”). For example, a patient may request that NYU Langone Health communicate with them at his or her place of employment rather than his or her place of residence, or at a designated address or email address.

All requests for confidential communications after initial patient intake should be submitted in writing, unless the request is made in an urgent or emergency situation. Workforce Members must document the date of the request and the alternative communication method or address in the patient’s medical record.

NYU Langone Health will accommodate all reasonable requests for alternative communications. A request is unreasonable if it is impractical (e.g., a request to communicate with a patient only within a short period of time after office hours).

The patient is required to explain why they are requesting alternative communication as a condition to accommodating the patient’s request. However, if appropriate under the circumstances, NYU Langone Health may require the patient to explain how payment for treatment will be handled, and/or to specify an alternative address, or other method of contact before providing the requested accommodation.

The request form will be maintained by IACERM. All agreed upon confidential or alternative communications will also be documented in the patient’s medical record as appropriate. To ensure compliance with patient requests, Workforce Members should review a patient’s medical record to determine whether a patient has requested confidential or alternative communications.

### **Procedure**

1. At the time of intake, Workforce Members will ask the patient for his or her preferred contact information. The Workforce Member will document the patient’s preferred contact information in the demographics section of the patient’s medical record. Should the patient request confidential communications, the confidential address or other contact information will be flagged in the patient’s medical record.

2. After initial intake, all patient requests for alternative communications must be made in writing. To request alternative communications, the patient should complete the *Patient Request for Confidential Communications of Protected Health Information* form.
3. Workforce Members will forward the patient's completed form to the Office of Internal Audit, Compliance, and Enterprise Risk Management ("IACERM").
4. IACERM will determine whether NYU Langone Health will accommodate the patient's request. IACERM will notify the patient of his or her decision in writing as soon as possible but no later than 30 days from the receipt of the request.
5. The alternative communication method or location must be documented in the patient's medical record as appropriate.
6. Before communicating with a patient, Workforce Members must review the patient's medical record to determine if an alternative communication method or location is in place.
7. If the patient requests email communication, all such email communications may only be sent using a NYU Langone Health-approved encryption method, such as SendSafe Secure Email.

### **Related Documents**

Disclosure of PHI by Telephone, Email, or Fax

General Uses and Disclosures of PHI

HIPAA Privacy Policies, Procedures, and Documentation

HIPAA Privacy Policies and Procedures Definitions

Patient Request for Confidential Communications of Protected Health Information form

### **Legal Reference**

45 C.F.R. §164.522(b)

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This version supersedes all NYU Langone Health (as defined in this Policy) previous policies, including but not limited to NYU Hospitals Center, New York University School of Medicine, Lutheran Medical Center, and Winthrop University Hospital.