



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

Effective/Reissue Date: 10/5/2016

Current Version: 11/1/2017

Right to Request Confidential or Alternative Communications

Policy

NYU Langone 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 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 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 will not be required to explain why the patient is requesting alternative communication as a condition to accommodating the patient’s request. However, if appropriate under the circumstances, NYU Langone 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.

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 (“*Request Form*”).
3. Workforce Members will forward the patient’s completed *Request Form* to the Privacy Officer
4. The Privacy Officer will determine whether NYU Langone will accommodate the patient’s request. The Privacy Officer will notify the patient of his or her decision in writing as soon as possible but no later than thirty (30) days from the receipt of the request.
5. The alternative communication method or location must be documented in the patient’s medical record.
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-approved encryption method, such as SendSafe Secure Email. Where applicable, Workforce Members should direct the patient to access their medical record securely over the internet via MyChart at NYU Langone available at <https://mychart.nyulmc.org/mychart/default.asp>.

Related Documents

Disclosure of PHI by Telephone, Email, or Fax

General Uses and Disclosures of PHI

Patient Request for Confidential Communications of Protected Health Information Form

Legal Reference

45 C.F.R. §164.522(b)

This version supersedes all previous NYU Langone (as defined in these Policies) entity HIPAA policies, including but not limited to NYU Langone Hospitals, New York University School of Medicine, and/or Lutheran Medical Center.