

**Saint Mary's University of Minnesota**  
**Policy and Procedure: Authorizations to Disclose Protected Health Information**

Except where otherwise permitted, the Section 125 plan will not request or disclose protected health information (PHI) without a valid authorization.

PHI may be disclosed without authorization:

- To the individual who is the subject of the information
- For treatment, payment, or healthcare operations
- Incident to a permitted or required disclosure as long as the minimum necessary and administrative, technical, and physical safeguards have been followed.
- Pursuant to an agreement with opportunity to agree or object for very limited information in certain limited circumstances.
- When required by law, for public health purposes, and similar purposes.
- To comply with workers' compensation and similar laws.

PHI must be disclosed to the individual when requested and during compliance investigations.

The privacy officer will determine if an authorization request directed to the Section 125 plan meets the requirements of the HIPAA Privacy Rule.

A valid authorization must contain at least the following required elements:

- A specific and meaningful description of the information to be used or disclosed.
- The name or other specific identification of who is authorized to make the requested use or disclosure.
- The name or other specific identification of to whom the covered entity may make the disclosure.
- A description of each purpose of the requested use or disclosure. The statement "at the request of the individual" is a sufficient description of the purpose when an individual initiates the authorization.
- An expiration date or an expiration event that relates to the individual or the purpose of the use or disclosure. The statement "end of the research study," "none," or similar language is sufficient if the authorization is for a use or disclosure of PHI for research.
- Signature of the individual and date.

Signed authorizations will be retained for six years following their expiration.

The authorization must contain statements to give the individual notice of all the following (if applicable):

- The right to revoke the authorization in writing.
- The exceptions to the right to revoke and a description of how the individual may revoke the authorization or a reference to the covered entity's privacy notice that includes this information.
- Whether treatment, payment, enrollment, or eligibility for benefits may or may not be conditioned on the authorization including the consequences of a refusal to sign the authorization when such a condition is allowed.
- The potential for information disclosed pursuant to the authorization to be redisclosed by the recipient and no longer be protected by the HIPAA Privacy Rule.

A signed copy of an authorization that was directed to the Section 125 Plan will be provided to the individual.

The individual generally will be allowed to revoke an authorization at any time, provided that the revocation is in writing unless the authorization was obtained as a condition of obtaining insurance coverage and the insurer has the legal right to contest a claim under the policy or to contest the policy itself.