

Fax Policy

1. Introduction

- a. Clark County has adopted this Fax Policy to comply with the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), the Department of Health and Human Services (“DHHS”) security and privacy regulations, the Joint Commission on Accreditation of Healthcare Organizations (“JCAHO”) accreditation standards, as well as our duty to protect the confidentiality and integrity of confidential medical information as required by law, professional ethics, and accreditation requirements.
- b. All personnel of Clark County must comply with this policy. Familiarity with the policy and demonstrated competence in the requirements of the policy are an important part of every employee’s responsibilities.

2. Policy

- a. All personnel must strictly observe the following standards relating to facsimile communications of patient medical records:
 - 1) Clark County, its officers, agents, and employees will send health information by fax only when the original record or mail-delivered copies will not meet the needs of immediate patient care.
 - 2) Health records or documents containing individually identifiable health information may be transmitted by fax only when urgently needed for patient care or required by a third-party payer for ongoing certification of payment for a hospitalized patient.
 - 3) Information transmitted must be limited to that necessary to meet the requester’s needs.
 - 4) Except as authorized by law, a properly completed and signed authorization must be obtained before releasing patient information.
 - 5) Especially sensitive medical information, including, but not limited to, AIDS/HIV information, other sexually transmissible disease information, mental health and developmental disability information, and alcohol and drug abuse information may not be sent by fax without the authorization of the respective department head, patient, or physician.
 - 6) The cover page accompanying the fax transmission must include a confidentiality notice that prohibits disclosure and destruction of the fax if fax is received by an unintended recipient.
 - 7) Reasonable efforts must be made to assure that the fax transmission is sent to the correct destination. Numbers that are used frequently may be preprogrammed into the machine to eliminate misdialing errors. For a new recipient, the sender must verify the fax number before sending the fax and verify the recipient’s authority to receive confidential information.
 - 8) Fax machines must be located in secure areas, and the department director is responsible for limiting access to them.
 - 9) Each supervisor 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, as by sealing the fax in an envelope.

- 10) Any misdirected faxes or violations of this policy must be reported to the department head immediately.