Policy Number: HC-5	Page: 1	Of: 2
Title: Sharing Information		
Regulatory Authority: HIPAA Regulations, FERPA Regulations, ORC, OAC		
Effective Date: 01/19/2021		
Reviewer/Job Title: Director of Operations		

A) **SPEAKING WITH THE FAMILY AND FRIENDS OF AN INDIVIDUAL RECEIVING SERVICES**

HCBDD personnel are allowed to disclose protected health information to individuals involved with the care an individual being served, in specific situations, after giving the Individual the opportunity to either agree to or object to the disclosure.

1) **If the individual is present**
   A) **Permitted disclosure to family or friend present**. If a family member, or friend of the individual is present while services are being rendered, an employee serving the individual may disclose PHI after one of the following:
      i) verbally seeking permission for the disclosure, and the individual the agrees; or
      ii) giving the Individual the opportunity to object to the disclosure, and the individual does not express an objection; or
      iii) the staff member reasonably infers from the circumstances, based on the exercise of professional judgment, that the individual does not object to the disclosure.
2) **If the individual is not present**
   A) **Communications about the individual's care**
      i) In the event of a phone call or other discussion with a family member or one involved with the care of the Individual being served by HCBDD, where the Individual is not present, the employee may use their professional judgment to determine if the disclosure is in the best interests of the Individual and, if so, disclose only the PHI that is directly relevant to the person's involvement with the individual's care.

B) **NOTIFICATIONS**
   i) An employee may disclose PHI to notify a family member, a personal representative of the individual, or another person responsible for the care of the individual of the individual's location or general condition.