OFFICE FOR CIVIL RIGHTS

SHARING HEALTH INFORMATION WITH FAMILY MEMBERS AND FRIENDS

There is a federal law, called the Health Insurance Portability and Accountability Act of 1996 (HIPAA), that sets rules for health care providers and health plans about who can look at and receive your health information, including those closest to you – your family members and friends. The HIPAA Privacy Rule ensures that you have rights over your health information, including the right to get your information, make sure it's correct, and know who has seen it.

What Happens if You Want to Share Health Information with a Family Member or a Friend?

HIPAA requires most doctors, nurses, hospitals, nursing homes, and other health care providers to protect the privacy of your health information. However, if you don't object, a health care provider or health plan may share relevant information with family members or friends involved in your health care or payment for your health care in certain circumstances.

When Your Health Information Can be Shared

- Under HIPAA, your health care provider may share your information face-to-face, over the phone, or in writing. A health care provider or health plan may share relevant information if:
- You give your provider or plan permission to share the information.
- You are present and do not object to sharing the information.
- You are not present, and the provider determines based on professional judgment that it's in your best interest.

Examples:

- An emergency room doctor may discuss your treatment in front of your friend when you ask your friend to come into the treatment room.
- Your hospital may discuss your bill with your daughter who is with you and has a question about the charges, if you do not object.
- Your doctor may discuss the drugs you need to take with your health aide who has come with you to your appointment.
- Your nurse may **not** discuss your condition with your brother if you tell her not to.
- HIPAA also allows health care providers to give prescription drugs, medical supplies, x-rays, and other health care items to a family member, friend, or other person you send to pick them up.

A health care provider or health plan may also share relevant information if you are not around or cannot give permission when a health care provider or plan representative believes, based on professional judgment, that sharing the information is in your best interest.

Examples:

- You had emergency surgery and are still unconscious. Your surgeon may tell your spouse about your condition, either in person or by phone, while you are unconscious.
- Your doctor may discuss your drugs with your caregiver who calls your doctor with a question about the right dosage.
- A doctor may **not** tell your friend about a past medical problem that is unrelated to your current condition.

For more information about sharing your health information with family members and friends, or more information about HIPAA, visit **www.hhs.gov/ocr/privacy/hipaa/understanding/index.html**.