
 <b>HAWAII HEALTH SYSTEMS CORPORATION</b> <i>"Quality Healthcare for All"</i>	<b>Department:</b>  <b>Quality Through Compliance</b>	<b>Policy No.:</b>  <b>CMP 039A</b>
	<b>ISSUED BY:</b> Audit and Compliance Committee	<b>Revision No.:</b>  
<b>POLICY</b>	<b>Effective Date:</b> September 19, 2013	
<b>Subject:</b>  <b>HIPAA Cadaveric Organ Donation Use and Disclosure</b>	<b>Approved by:</b>  HHSC Board of Directors By: Carol A. VanCamp Its: Secretary/Treasurer	<b>Supersedes Policy:</b>  
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Last Reviewed: August 19, 2013. Next Review: August 19, 2016

- I. **PURPOSE:** This Policy establishes the uses and disclosures of Protected Health Information (PHI) to organ procurement organizations and other entities engaged in the procurement, banking, or transplantation of cadaveric organs, eyes or tissue for the purpose of facilitating the donation and transplantation.
  
- II. **DEFINITIONS:**  
Protected Health Information (PHI)— Any information, identifiable to an individual, including demographic information, whether or not recorded in any form or medium, that relates directly or indirectly to: the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual.
  
- III. **POLICY:**
  - A. **DISCLOSURE:** Hawaii Health Systems Corporation (HHSC) will disclose PHI, without the written consent or authorization of the individual, to: the Organ Donor Center of Hawaii (ODCH), and other organ procurement organizations and other entities engaged in the procurement, banking, or transplantation of cadaveric organs, eyes or tissue for the purpose of facilitating organ, eye or tissue donation and transplantation.
  
  - B. **REPORTING:** At or near the time of every death or impending death, HHSC will report to: the Organ Donor Center of Hawaii (ODCH), other organ procurement organizations and other entities engaged in the procurement, banking, or transplantation of cadaveric organs, eyes or tissue for the purpose of facilitating transplantation; to determine a patient's suitability for anatomical donation. HHSC will disclose its death records to ODCH for an annual review.
  
  - C. **ANNUAL REVIEW OF DEATH RECORDS:** HHSC will disclose death records to ODCH and other organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of cadaveric organs, eyes or tissue for the purpose of facilitating organ, eye or tissue donation and transplantation for its annual death record review to determine HHSC's compliance with the required referral (HRS 327-5.5C).
  
  - D. **VERIFICATION:** HHSC will verify the identity and authority of the requestor in accordance with the HHSC Policy on Verification of Identity and Authority of Party Requesting PHI (CMP 047A) prior to any release of PHI.

- E. **ACCOUNTING FOR DISCLOSURE:** An accounting of any disclosure under this policy will be made, as directed, by the HHSC Policy on Patients' Rights to Accounting of Disclosures of Protected Health Information (CMP 040A).
  - F. **RELATED POLICIES:** This policy does not cover disclosure for the following purposes:
    - 1. Notification of unclaimed bodies (CMP 045A).
    - 2. Disclosure for health oversight activities, including the disposition of bodies (CMP 037A).
    - 3. Notification to law enforcement agencies (CMP 050A).
  - G. HHSC facilities shall implement procedures to implement this Policy.
- IV. APPLICABILITY:** This Policy applies to all HHSC facilities.
- V. AUTHORITY:** Standards for Privacy of Individually Identifiable Health Information (HIPAA), 45 CFR, Subtitle A, Subchapter C, Section 164.512(h) Uses and Disclosures for Cadaveric Organ, Eye or Tissue Donation Purposes. Uniform Anatomical Gift Act (UAGA) Hawaii Revised Statutes section 327-1 through 14. HRS 327-5.5C.
- VI. ATTACHMENTS:** None