

**TEXAS ASSOCIATION OF COUNTIES
HEALTH AND EMPLOYEE BENEFITS POOL
HIPAA POLICIES**

**USES AND DISCLOSURES FOR WHICH AN AUTHORIZATION
OR OPPORTUNITY TO AGREE OR OBJECT IS NOT REQUIRED**

Effective Date: March 17, 2003

POLICY

HEBP may, to the extent permitted by the Privacy Rule, use or disclose PHI without the written authorization of the individual or the opportunity for the individual to agree or object: 1) when the use or disclosure is required by law; 2) for certain public health activities; 3) if the disclosure concerns victims of abuse, neglect or domestic violence; 4) to a public agency as necessary for health oversight activities; 5) in judicial or administrative proceedings; 6) for law enforcement purposes; 7) to a coroner, medical examiner or funeral director; 8) to avert a serious threat to health or safety; 9) for workers compensation; 10) for treatment, payment and operations; 11) for cadaveric organ donation purposes; 12) for research; or 13) for specialized government functions such as military operations and national security.

PROCEDURE

- If the issue of disclosure under this policy arises, HEBP will refer to the appropriate section of 45 CFR Section 164.512 of the Privacy Rule and ascertain the circumstances under which the PHI may lawfully be disclosed without authorization or agreement.
- If it is practicable to contact the individual and obtain his authorization, or to obtain his agreement or give him an opportunity to object, HEBP will do so, even if disclosure would be permitted without such authorization, consent or opportunity to object.