

G002 LFD GENERAL GUIDELINES: CONFIDENTIALITY

CONFIDENTIALITY

- The patient-physician relationship, the patient-registered nurse relationship, and the patient-EMT relationship are recognized as privileged. This means that the physician, nurse, or EMT may not testify as to confidential communications unless:
 - The patient consents
 - The disclosure is allowable by law (such as Medical Board or Nursing Board proceedings, or criminal or civil litigation in which the patient's medical condition is in issue)
- The prehospital provider must keep the patient's medical information confidential. The patient likely has an expectation of privacy, and trusts that personal, medical information will not be disclosed by medical personnel to any person not directly involved in the patient's medical treatment.

Exceptions

- The patient is not entitled to confidentiality of information that does not pertain to the medical treatment, medical condition, or is unnecessary for diagnosis or treatment.
 - The patient is not entitled to confidentiality for disclosures made publicly.
 - The patient is not entitled to confidentiality with regard to evidence of a crime.
 - The patient is not entitled to confidentiality of information that does not pertain to the medical treatment, medical condition, or is unnecessary for diagnosis or treatment.
- Additional Considerations
 - Any disclosure of medical information should not be made unless necessary for the treatment, evaluation or diagnosis of the patient.
 - Any disclosures made by any person, medical personnel, the patient, or law enforcement should be treated as limited disclosures and not authorizing further disclosures to any other person.
 - Any discussions of prehospital care by and between the receiving hospital, the crewmembers in attendance, or at in-services or audits are done strictly for educational or performance improvement purposes. Further disclosures are not authorized.
 - Radio communications should not include disclosure of patient names.
 - This procedure does not preclude or supersede your agency's HIPAA policy and procedures.
 - Any communications from the prehospital setting to the receiving hospital or other facility or care provider should be kept in compliance with HIPAA including all smart technology, SMS messaging, wireless communication or otherwise. No personal identifier information should be transmitted over non-HIPAA compliant secure means.