



Original Effective: 4/14/2003
Last Reviewed Or Revised: 11/1/2017
Responsible Party: *Mary Anne Nieukirk:
PRIVACY OFFICER*
Category/Chapter: *Compliance*
Areas/Dept: *Organizational*
Applicability: *OSF Healthcare
Foundation*

HIPAA Fundraising Activities (CC-430)

DEFINITIONS:

Protected Health Information (PHI) - means demographic or health information that identifies (or could be used to identify) an individual, and is or was created or received by a health care provider, health plan, employer or health clearinghouse, that relates to the individual's health or medical condition, provision of health care or payment for health care, which may be transmitted or maintained in any medium.

PURPOSE:

To abide by all requirements limiting the use and disclosure of PHI in relation to fundraising activities, as outlined under the Privacy Rules of the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

POLICY:

1. OSF may contact an individual to raise funds on OSF's behalf. As such, OSF may use or disclose to a business associate or to an institutionally related foundation, the following PHI for the purpose of raising funds for its own benefit, without an authorization
 - a. Demographic information relating to an individual (statistical data of a population, i.e. name, home address, phone number, birth date, gender, marital status, etc.); and
 - b. Dates of health care provided to an individual;
 - c. Department of service information;
 - d. Treating physician;
 - e. Outcome information; and
 - f. Health insurance status.
2. The OSF Notice of Privacy Practices (NPP) contains a separate statement that states that OSF may contact the individual to raise funds for OSF and that the individual has a right to opt-out of receiving fundraising communications.
3. Any fundraising communications sent to an individual contain a clear and conspicuous description of how the individual may opt out of receiving any further fundraising communications, including the right to elect not to receive fundraising solicitations which uses an individual's PHI as the source for his or her mailing address or other contact information.
4. The method for the individual to opt-out may not cause the individual to incur an undue burden or more

than a nominal cost.

5. OSF may not condition treatment or payment on the individual's choice to opt-out of receiving fundraising communications.
6. Upon receiving an opt-out notice from an individual, OSF may not send any further fundraising communications to the individual.
7. OSF may provide an individual who has opted-out of receiving fundraising communications with a method to opt back in to receive such communications.

REFERENCES:

Code of Federal Regulations (CFR): HIPAA Administrative Simplification. 45 CFR §§ 160.103, and 164.514(f)(1)-(2) retrieved January 25, 2013.

This policy is in effect for OSF Healthcare System, OSF Healthcare Foundation and all OSF Healthcare System subsidiaries and affiliates, except as limited in the header or body of this policy. For purposes of this policy, the terms "subsidiaries" and "affiliates" mean facilities or entities wholly owned or wholly controlled by OSF Healthcare System. Specifically, this policy applies to:

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	Name as listed with Medicare:
<input checked="" type="checkbox"/> OSF St. Mary Medical Center	ST MARY MEDICAL CENTER
<input checked="" type="checkbox"/> OSF Saint Francis Medical Center	SAINT FRANCIS MEDICAL CENTER
<input checked="" type="checkbox"/> OSF Saint James – John W. Albrecht Medical Center	SAINT JAMES HOSPITAL
<input checked="" type="checkbox"/> OSF St. Joseph Medical Center	ST JOSEPH MEDICAL CENTER
<input checked="" type="checkbox"/> OSF Saint Anthony Medical Center	SAINT ANTHONY MEDICAL CENTER
<input checked="" type="checkbox"/> OSF St. Francis Hospital & Medical Group	ST FRANCIS HOSPITAL
<input checked="" type="checkbox"/> OSF Holy Family Medical Center	OSF HEALTHCARE SYSTEM
<input checked="" type="checkbox"/> OSF Saint Elizabeth Medical Center	Ottawa Regional Hospital & Healthcare Center
<input checked="" type="checkbox"/> OSF Saint Luke Medical Center	OSF HEALTHCARE SYSTEM

Attachments:

No Attachments

Approval Signatures

Step Description	Approver	Date
Education/Communication Step	Mary Anne Nieukirk: PRIVACY OFFICER	11/1/2017
Board of Directors	Danielle McNear: EXECUTIVE ASSISTANT	11/1/2017

Step Description	Approver	Date
President, OSF Healthcare System	Sister Diane Marie: PRESIDENT	9/28/2017
Senior VP, Compliance and Risk Management	John Evancho: SVP CHIEF COMPLIANCE OFFICER	9/28/2017
Compliance Staff/John Evancho	Paul Keenan: COMPLIANCE PROJECT MANAGER	7/14/2017
Notification Step	Paul Keenan: COMPLIANCE PROJECT MANAGER	7/14/2017
Notification Step	Mary Anne Nieukirk: PRIVACY OFFICER	7/13/2017

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