

University of Colorado Health Sciences Center
HIPAA Policy

Policy:	1.3 Minimum Necessary	Latest Revision: 02/26/03 Page: 1 of 4
---------	--------------------------	---

I. Purpose, Reference, and Responsibility

A. Purpose

The purpose of this policy is to outline when a member of the UCHSC workforce may access protected health information and emphasizes that individuals are permitted to access only the minimum necessary amount of information to conduct their business.

B. Reference

45 C.F.R. § 164.502(b) and § 164.514(d).

C. Responsibility

It is the responsibility of each member of the UCHSC workforce to abide by this policy. Questions can be directed to the UCHSC Privacy Officer.

The UCHSC is responsible for identifying and classifying each member of its workforce who needs access to PHI to carry out his or her job duties.

II. Applicability and Definitions

A. Applicability

This policy applies to the use of and access to protected health (PHI) information by members of the UCHSC workforce, as defined in UCHSC [Policy 1.1](#).

B. Definitions

Authorization
Covered Entity (CE)
Healthcare Provider
Protected Health Information (PHI)
Treatment
Workforce

University of Colorado Health Sciences Center
HIPAA Policy

Policy:	1.3	Latest Revision: 02/26/03
	Minimum Necessary	Page: 2 of 4

III. Policy

- A. When using or disclosing protected health information or when requesting PHI from another covered entity, members of the UCHSC workforce will make reasonable efforts to limit the PHI used, disclosed, or requested to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request.
- B. Minimum Necessary within the UCHSC:
1. The UCHSC is responsible for identifying and classifying each person in its workforce who needs access to PHI to carry out his/her job duties. This identification will be determined by the person's appointing authority and in the case of students or trainees, by the dean of each professional school.
 2. For each person in the UCHSC workforce, the appointing authority or dean will identify the categories of protected health information to which access is needed and any conditions appropriate to the access.
 3. The UCHSC appointing authorities and deans will make reasonable efforts to limit access by members of the workforce to the category of PHI they need appropriate with any classifications and/or conditions as provided above.
- C. Minimum Necessary for disclosures:
1. For any type of recurring disclosure, the UCHSC workforce member will limit the PHI that is disclosed to the amount reasonably necessary to achieve the purpose for the disclosure.
 2. For disclosures that are not made on a recurring basis, the workforce member will review requests for disclosure on an individual basis to make certain that the PHI disclosed is limited to the information that is reasonably necessary to accomplish the purpose for which the disclosure is sought.

University of Colorado Health Sciences Center
HIPAA Policy

Policy:	1.3 Minimum Necessary	Latest Revision: 02/26/03 Page: 3 of 4
---------	--------------------------	---

- D. The UCHSC will assume that a requested disclosure is only requesting the minimum when:
1. Making a disclosure to a public official when a valid authorization or the opportunity for the individual to agree or object is not required if the public official represents that the information requested is the minimum necessary needed;
 2. The information is requested by another covered entity;
 3. The information is requested by a professional member of the UCHSC workforce or of a business associate of the UCHSC for the purpose of providing professional services to the UCHSC, if the professional represents that the information requested is the minimum necessary needed; or
 4. Documentation that complies with the requirements for disclosures for research purposes is provided to the UCHSC.
- E. For all uses, disclosures, or requests to which the minimum necessary requirements apply, the UCHSC shall not use, disclose or request an entire medical record, except when the entire medical record is specifically justified as the amount that is reasonably necessary to accomplish the purpose of the use, disclosure or request.
- F. The minimum necessary standard does not apply:
1. To disclosures to or requests by a health care provider for treatment purposes;
 2. To uses or disclosures made to the individual who is the subject of the protected health information;
 3. Uses or disclosures made pursuant to a valid authorization;
 4. Disclosures required by the Secretary of the Department of Health and Human Services; or

University of Colorado Health Sciences Center
HIPAA Policy

Policy:	1.3 Minimum Necessary	Latest Revision: 02/26/03 Page: 4 of 4
---------	--------------------------	---

5. Uses or disclosures otherwise required by law (e.g., mandatory child abuse reporting required of health professionals in Colorado), or as required to comply with HIPAA.