

University of Colorado Health Sciences Center  
HIPAA Policy

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I. Purpose, Reference, and Responsibility

A. Purpose

The purpose of this policy is to identify those circumstances under which the UCHSC may, or may not, condition the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits on an individual providing an authorization.

B. Reference

45 C.F.R. § 164.508.

C. Responsibility

It is the responsibility of all members of the UCHSC workforce to ensure that the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits is not conditioned upon an individual providing an authorization unless specifically permitted below.

II. Applicability and Definitions

A. Applicability

This policy applies to all members of the UCHSC workforce who obtain authorizations for the use or disclosure of PHI and who provide treatment, payment, enrollment in a health plan or eligibility for benefits services.

B. Definitions

Authorization  
Payment  
Protected Health Information (PHI)  
Treatment  
Workforce

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III. Policy

HIPAA prohibits the UCHSC from conditioning the provision to an individual of treatment, payment, enrollment in a health plan, or eligibility for benefits on the provision of an authorization for the use or disclosure of PHI, except:

- A. The UCHSC may deny research-related treatment or limit enrollment in a clinical study unless an authorization is provided to use or disclose the PHI for the research;
- B. The UCHSC may condition the provision of health care that is solely for the purpose or creating PHI for disclosure to a third party on the provision of an authorization permitting the disclosure of that PHI to the third party;
- C. The UCHSC may condition enrollment in a health plan or eligibility for benefits on the provision of an authorization requested by the health plan prior to an individual's enrollment in the plan, if:
  1. The authorization is for the health plan's eligibility or enrollment determinations relating to the individual or for its underwriting or risk rating determination; and
  2. The authorization is not for a use or disclosure of psychotherapy notes.