

NOTICE TO ETSU STUDENTS REGARDING FERPA AND THE CONFIDENTIALITY OF HEALTH RECORDS

The Family Educational Rights & Privacy Act (FERPA) is a federal law that protects the privacy of students' "education records." FERPA applies to East Tennessee State University (ETSU), including the records on students maintained by ETSU clinics and other health care facilities operated by ETSU.

Student records in clinics operated by ETSU are either education records or treatment records under FERPA and are excluded from coverage under HIPAA.

The term "education records" is broadly defined to mean records that are directly related to a student and maintained by the institution. Education records may not be disclosed without written consent of the student unless otherwise permitted or required by law. Students are entitled to review their own education records.

"Treatment records" are excluded from the definition of education records under FERPA. A treatment record is made, maintained, and used only in connection with the treatment of the student and is only disclosed to individuals providing the treatment.

How does ETSU use my Treatment Records?

Generally, ETSU will only use your treatment records to provide you with healthcare related services. For example, we may share your treatment records with clinical staff or other healthcare providers who are also providing you with treatment. If your treatment records are shared for any purpose other than treatment, they become an education record under FERPA, and may only be shared with your written consent, unless otherwise permitted or required by law.

How does ETSU use my Education Records?

In some instances, FERPA permits ETSU to share your personally identifiable information (PII) from education records without consent to school officials with a "legitimate educational interest" in the information. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for ETSU. For example, an ETSU counselor might share limited information about you with the Dean of Students for the purpose of communicating with you about available resources, supports, and other services. Another example might include ETSU sharing your clinical test results for a communicable disease (e.g., Meningitis) with University Housing for the purpose of enabling Housing to connect you with necessary services and to take necessary steps to protect other students.

FERPA also permits ETSU to share PII from your education records without consent to comply with court orders or lawfully issued subpoenas and to appropriate parties in connection with an emergency if that information is necessary to protect the health or safety of you or other individuals.

ETSU is committed to protecting your privacy and complying with applicable laws and University policies regarding the privacy and confidentiality of healthcare records.

Questions?

If you have any questions, please speak with your healthcare provider. They can answer your questions or connect you with someone who can help.