

HIPAA & LAW ENFORCEMENT

In non-emergency circumstances, staff should contact the HIPAA Compliance Office prior to disclosing information to law enforcement.

A HIPAA COVERED ENTITY MAY DISCLOSE PHI TO LAW ENFORCEMENT WITH THE INDIVIDUAL'S SIGNED HIPAA AUTHORIZATION. THERE ARE ALSO SITUATIONS WHERE A HIPAA COVERED ENTITY MAY DISCLOSE PHI TO LAW ENFORCEMENT WITHOUT THE INDIVIDUAL'S SIGNED HIPAA AUTHORIZATION INCLUDING THE FOLLOWING:

SERIOUS OR IMMINENT THREAT

- When the PHI could potentially prevent or lessen a serious and imminent threat to the health or safety of an individual or the public.

CRIME ON PREMISES

- When there is a good faith belief that the PHI could be evidence of a crime that occurred on the premises of the covered entity.

DEATH, POSSIBLY FROM CRIMINAL ACTIVITY

- To alert law enforcement to the death of the individual, when there is a suspicion that death resulted from criminal conduct.

OFF-SITE MEDICAL EMERGENCY FROM CRIMINAL ACTIVITY

- When responding to an off-site medical emergency, as necessary to alert law enforcement to criminal activity.

REPORTS REQUIRED BY LAW

- To report PHI to law enforcement when required by law to do so (such as reporting gunshots or stab wounds).

COURT ORDER, SUBPOENA, OR WARRANT

- To comply with a court order or court-ordered warrant, a subpoena or summons issued by a judicial officer, or an administrative request from a law enforcement official (the administrative request must include a written statement that the information requested is relevant and material, specific and limited in scope, and de-identified information cannot be used).

IDENTIFYING OR LOCATING SUSPECT, FUGITIVE, WITNESS, OR MISSING PERSON

- For identifying or locating a suspect, fugitive, material witness or missing person, but the information must be limited to basic demographic and health information about the person.

ADULT VICTIM OF A CRIME WHEN VICTIM AGREES

- For the adult victim of a crime when the victim agrees (or in limited circumstances if the individual is unable to agree).

[Adapted from the Health and Human Services Guidance.](#)