

## PATIENT MESSAGING BEST PRACTICES

HIPAA has introduced many changes in policy and procedures regarding the handling of patients' private health information.

The following Q&A statement has been published by the US Department of Health and Human Services:

**Q:** May physician's offices or pharmacists leave messages for patients at their homes, either on an answering machine or with a family member, to remind them of appointments or to inform them that a prescription is ready? May providers continue to mail appointment or prescription refill reminders to patients' homes?

**A:** Yes. The HIPAA Privacy Rule permits health care providers to communicate with patients regarding their health care. This includes communicating with patients at their homes, whether through the mail or by phone or in some other manner. In addition, the Rule does not prohibit covered entities from leaving messages for patients on their answering machines. However, to reasonably safeguard the individual's privacy, covered entities should take care to limit the amount of information disclosed on the answering machine. For example, a covered entity might want to consider leaving only its name and number and other information necessary to confirm an appointment, or ask the individual to call back.

A covered entity also may leave a message with a family member or other person who answers the phone when the patient is not home. The Privacy Rule permits covered entities to disclose limited information to family members, friends, or other persons regarding an individual's care, even when the individual is not present. However, covered entities should use professional judgment to assure that such disclosures are in the best interest of the individual and limit the information disclosed. See 45 CFR 164.510(b)(3).

In situations where a patient has requested that the covered entity communicate with him in a confidential manner, such as by alternative means or at an alternative location, the covered entity must accommodate that request, if reasonable. For example, the Department considers a request to receive mailings from the covered entity in a closed envelope rather than by postcard to be a reasonable request that should be accommodated.

Similarly, a request to receive mail from the covered entity at a post office box rather than at home, or to receive calls at the office rather than at home are also considered to be reasonable requests, absent extenuating circumstances. See 45 CFR 164.522(b).

SOURCE:

[www.hhs.gov/hipaafaq/providers/smaller/198.html](http://www.hhs.gov/hipaafaq/providers/smaller/198.html)

### Recommendations for Appointment Confirmations

#### 1. Limit information disclosed over the telephone

To reasonably safeguard privacy, you should take care to limit the amount of information disclosed to an individual answering the call. This should be limited to information that will not identify any medical condition or other private health information.

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### FOR MORE INFORMATION

Visit [hhs.gov/hipaa/for-professionals](http://hhs.gov/hipaa/for-professionals) for:

Frequent Questions

Privacy of Health Information (HIPAA)

Providers and Other Covered Entities

Smaller Providers & Small Businesses FAQs

Caution should be taken when the name of your practice could reveal a medical condition and should not be used. Hypothetical examples of these are:

- Oakdale Pregnancy Clinic
- Winston Oncology
- Clinic of Infectious Diseases

When your practice name could reveal a medical condition, you should use a more generic message such as:

*“Hi, this is Dr. Smith calling,” instead of  
“Hi, this is the Oakdale Pregnancy Clinic calling.”*

## 2. Use an introduction message

Another precautionary step is to use an introduction message, such as recording an introduction that requires the listener to dial “9” to hear the rest of the message. In the case of a child answering the phone, most will call for their parents or the appropriate person when they hear this introduction message. PhoneTree will repeat the message three times to give the intended listener time to reach the telephone.

A sample message of this could be:

*“Hi, this is an important message for John from Dr. Smith. Please press ‘g’ hear the following message. This is Dr. Smith’s office calling to confirm John’s appointment on Monday, April 12 at 8:30 a.m. To confirm that you will be able to keep your appointment, please press ‘1’ now. If you have any questions or need to reschedule, please call our office during regular business hours at 336-555-1212 or you may press ‘o’ and stay on the line to speak with a receptionist. We look forward to seeing you at Dr. Smith’s office on Monday, April 12 at 8:30 a.m. Thank you and have a nice day.”*

## 3. Deliver a more generic message to answering machines

Although the HIPAA guidelines will allow you to leave messages on answering machines, you may elect to only do this as a last attempt to confirm an appointment to avoid any possibility of incidental disclosure of private health information.

We recommend that you set patient reminder calls for a short calling window in the late afternoon and early evening hours (i.e., between 4 and 7 p.m.) to maximize the possibility of reaching the intended person.

If you do opt to leave messages on answering machines, you may want to leave a different (and more generic) message than the one you would deliver to a live person. PhoneTree allows you to send both messages during the same call session. Since our calling technology can detect the difference between an answering machine and a live person, it delivers the more generic answering machine message only to the machines it reaches.

An example would be:

Message for live person answering the call:

*“Hi, this is Dr. Brown’s office calling to confirm Sue’s appointment on Monday, April 12 at 8:30 a.m. To confirm that you will be able to keep your appointment, please press ‘1’ now. If you have any questions or need to reschedule, please call our office during regular business hours at 336-555-1212 or you may press ‘o’ and stay on the line to speak with a receptionist. We look forward to seeing you at Dr. Brown’s office on Monday, April 12 at 8:30 a.m. Thank you and have a nice day.”*

Generic message for an answering machine:

*“Hi, this is the Doctor’s office calling to confirm your appointment on Monday, April 12 at 8:30 a.m. If you need to reschedule, please call our office during regular business hours at 336-555-1212. We look forward to seeing you on Monday, April 12 at 8:30 a.m. Thank you and have a nice day.”*