Fax Transmittal Procedures

The HIPAA privacy rule requires entities to take reasonable steps to protect the confidentiality of patient information. The Office of Institutional Audit and Compliance (OIAC) is providing the following fax transmittal procedures to assist in ensuring MCG is taking reasonable steps.

1. Fax machines should be placed in secure areas that have limited access.
2. The faxed document (received or sent) should not be left on or near the fax machine.
3. **Sending a Fax** - When sending a fax, be sure to:
   a. Limit the information to the minimum necessary to meet the purpose.
   b. Include a cover sheet as your first page or a transmittal tag on your first page. Using a fax cover sheet will help mitigate problems caused when sensitive or confidential information is received in error. The following information should be included:
      i. Sender’s name, department, and contact telephone number
      ii. Recipients name, department, and contact telephone number
      iii. A confidentiality statement such as:

         **CONFIDENTIALITY NOTICE** -
         The information contained in this transmission is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this information, do not review, re-transmit, disclose, disseminate, use, or take any action in reliance upon, this information. If you received this transmission in error, please contact the sender or contact the HIPAA privacy officer at 706-721-2661 for further instruction.

         Note: If you've accurately preprogrammed a commonly used fax number into your fax machine, the risk of a misdirected fax is minimal. In that case, it is acceptable to send the fax without a cover sheet to save transmission time and paper. Be sure to test this feature before using it.
   c. Confirm receipt of the fax by calling the recipient or request they call you to acknowledge receipt.
   d. Remember to promptly remove the document from the machine after transmittal.
4. **Receiving a fax** – When receiving a fax, be sure to:
   a. Distribute the fax to the proper recipient expeditiously while protecting confidentiality during the distribution, such as sealing the fax in an envelope or folder.
   b. If you receive a fax in error, especially one that contains protected health information, take these steps:
      i. Report to OIAC and/or call the originator to inform them you’ve received the fax in error so that they may resend the fax to the intended recipient. If you notify the originator, let OIAC know that you did so that efforts are not duplicated.
      ii. Do not shred the misdirected until you’ve received confirmation that the originator or OIAC has received the fax. After receipt is confirmed, dispose of the document by shredding or deposit into shredder bin.
A document received in error by fax or mail that contains protected health information should be reported to the OIAC for monitoring purposes. The OIAC must determine if the document should be entered in the patient’s disclosure log.

5. **Restrictions:** The following types of protected health information are given special protection by federal and and/or state law, and it therefore may NOT be faxed or photocopied for use outside MCG without specific written patient authorization or approval of the MCG Compliance and Privacy Coordinator/HIPAA Privacy Officer:
   a. Confidential details of mental health
      i. Psychotherapy notes or other professional services notes (from records of treatment by a psychiatrist, licensed psychologist or psychiatric clinical nurse specialist)
      ii. Social Work Counseling/Therapy
      iii. Domestic Violence Victims’ or Sexual Assault Counseling
   b. HIV test results (written patient authorization required for EACH release request)
   c. Records and notes pertaining to sexually transmitted diseases
   d. Alcohol and drug abuse records that are protected by law

Questions about faxing information should be directed to the MCG Compliance and Privacy Coordinator/HIPAA Privacy Officer at 706 721 2661.