

Protected health information disclosures for treatment purposes



THE MYTH

HIPAA requires that health care providers obtain patient authorization to disclose protected health information (PHI) for treatment purposes.

DEBUNKING THE MYTH

Apart from psychotherapy notes—in which specific requirements apply—health care providers are not required to procure authorization or consent from patients to disclose PHI to another clinician or clinical entity for treatment purposes under HIPAA, as the HIPAA Privacy Rule permits such disclosures to facilitate patient care.^{1,2,3}

AMA Policy

[Patient Privacy and Confidentiality H-315.983](#)

Resources

- [Code of Federal Regulation Section 164.506 – Uses and Disclosures to Carry Out Treatment, Payment, or Health Care Operations](#). Accessed October 2022.
- [HHS Description of 45 CFR 164.506](#). Accessed October 2022.

References

1. Department of Health and Human Services. Section 164.506 – Uses and Disclosures to Carry out Treatment, Payment, or Health Care Operations. 2003. Accessed Oct. 12, 2022. <https://www.govinfo.gov/content/pkg/CFR-2003-title45-vol1/xml/CFR-2003-title45-vol1-sec164-506.xml>
2. Office for Civil Rights. Does a physician need a patient's written authorization to send a copy of the patient's medical record to a specialist or other health care provider who will treat the patient? HHS.gov. Published Dec. 19, 2002. Accessed Oct. 12, 2022. <https://www.hhs.gov/hipaa/for-professionals/faq/271/does-a-physician-need-written-authorization-to-send-medical-records-to-a-specialist/index.html>
3. Office for Civil Rights HIPAA Privacy. Uses and Disclosures for Treatment, Payment, and Health Care Operations. HHS.gov. Published Dec. 3, 2003. Accessed Oct. 12, 2022. <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/disclosures-treatment-payment-health-care-operations/index.html>

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