

QUESTION	YES	NO
<p>Q1: Is the request for PHI for a <i>Restricted Purpose</i>?</p> <ul style="list-style-type: none"> • Health oversight activities; • Judicial and administrative proceedings; • Law enforcement purposes; or • Coroner and medical examiner disclosures 	<p>Go to Q2.</p>	<p>PHI may be disclosed in accordance with the applicable HIPAA Exception governing Non-Restricted Purposes (e.g., TPO, Required by Law, Public Health etc.)</p>
<p>Q2: Is the request for PHI for a <i>Prohibited Purpose</i>?</p> <ul style="list-style-type: none"> • Investigate or impose liability on individuals, regulated entities, or other persons for the mere act of seeking, obtaining, providing, or facilitating reproductive health care that is lawful under the circumstances in which it is provided, or • Identify any person to investigate or impose liability on them for such purposes 	<p>DO NOT DISCLOSE. Confer with Legal Counsel.</p> <p>[Note: generally, will not be apparent]</p>	<p>Go to Q3.</p> <p>[Note: OK to not be 100% certain, but cannot have information to contrary]</p>
<p>Q3: Does the requested PHI contain any information “<i>potentially related to reproductive healthcare</i>”?</p> <p>[Note: if scope of the request can be narrowed to PHI that is clearly NOT potentially “related to” reproductive health care, then Attestation can be avoided]</p>	<p>Go to Q4.</p>	<p>The requested PHI may be disclosed in accordance with the applicable HIPAA exception (i.e., health oversight; judicial/administrative proceeding; law enforcement; coroner/medical examiner).</p>
<p>Q4: Did the requestor present a valid, signed Attestation?</p> <p>[Note: Follow your organization’s P&Ps on how to determine if a 3rd Party Attestation is valid]</p>	<p>The requested PHI may be disclosed in accordance with the applicable HIPAA exception (i.e., health oversight; judicial/administrative proceeding; law enforcement; coroner/medical examiner) UNLESS CE/BA has actual knowledge that material information in the Attestation is false OR a reasonable CE/BA would not believe the Attestation to be truthful – In which case DO NOT DISCLOSE & CONFER WITH LEGAL COUNSEL.</p>	<p>Valid, signed Attestation must first be obtained before PHI may be disclosed to the Requestor. Once obtained, PHI may be disclosed in accordance with the applicable HIPAA exception (i.e., health oversight; judicial/administrative proceeding; law enforcement; coroner/medical examiner).</p>