

POLICY AND PROCEDURE MANUAL

SECTION: Information Management
TITLE: Uses of Information
For Marketing & Fundraising
POLICY# IM.8.8
EFFECTIVE DATE: 03/2003
REVISION DATE: 03/2010, 06/2013, 9/2015



USES OF INFORMATION FOR MARKETING & FUNDRAISING

Sections

- I. Uses and Disclosures of Protected Health Information for Marketing Purposes and Activities 2
- II. Uses and Disclosures of Protected Health Information for Fundraising Purposes and Activities 3
- III. Collection and Disclosures of Donor Information for Fundraising Purposes and Activities 4

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OPERATIONS TEAM	DATE	02/2010, 05/2013
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Section I: Uses and Disclosures of Protected Health Information for Marketing Purposes and Activities

POLICY:

Primary Health Care, Inc. (PHC) will, prior to using or disclosing protected health information for marketing, obtain a valid authorization from a patient, unless an exception as described in this policy and procedure applies. Any use or disclosure for marketing purposes must be consistent with the patient's valid authorization.

PROCEDURE:

1. Marketing Defined. Marketing means any of the following activities:

- a. a communication about a product or service (for treatment or health care operations) that encourages recipients to purchase or use the product or service, unless the communication is made (i) for treatment of the patient; or (ii) for case management or care coordination for the patient, or to direct or recommend alternative treatments, therapies, health care providers, or settings of care to the patient.
- b. an arrangement between PHC and another organization (e.g. marketing firm) whereby PHC discloses protected health information to the other organization, in exchange for direct or indirect remuneration, for the organization or its affiliate to make a communication about its own product or service that encourages recipients of the communication to purchase or use the product or service.

2. Valid Authorization. PHC will, unless there is an exception described in this procedure, obtain a valid authorization from the patient for any use or disclosure of protected health information for marketing and will use or disclose the information in a manner consistent with the patient's authorization.

If the marketing involves direct or indirect remuneration to PHC from a third party, the authorization must state that remuneration is involved.

The scope may apply broadly to subsidized communications in general as long as it adequately describes the purposes of the requested uses and disclosures.

The authorization must indicate that the patient may revoke at any time.

3. Exceptions. No patient authorization will be required if the communication which encourages the patient to use a product or service is:

- a. a face-to-face communication made by PHC to the patient;

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- b. in the form a promotional gift of nominal value provided to the patient by PHC.
- c. is a refill reminder or other communication about currently prescribed drugs;
- d. communications promoting health in general; or
- e. communications about government sponsored programs.

4. Restrictions on Uses and Disclosures; Confidential Communications. Any uses or disclosures for marketing purposes will be consistent with any agreement by PHC to restrict the use or disclosure of a patient's protected health information or to communicate protected health information in a confidential manner, as requested by the patient.

Section II: Uses and Disclosures of Protected Health Information for Fundraising Purposes and Activities

POLICY:

PHC may not use, or disclose to a business associate or an institutionally related foundation, protected health information in the form of a patient's demographic information or dates of service for the purpose of raising funds for its own benefit without obtaining the patient's written authorization.

Section III: Collection and Use of Donor Information for Fundraising Purposes and Activities

POLICY: PHC understands the importance of protecting the privacy of personal information, especially in today's increasingly electronic environment. Any information provided to us voluntarily will not be sold or traded to any other business or organization. We respect and protect the privacy of our donors and adhere to the following guidelines.

1. **Collection of Personal Information from Donors.** PHC may collect personal information on an individual only when the individual willingly provides such information to PHC
 - a. When an individual donates to PHC, we may collect sensitive personal information such as the donor's credit card number, card type, expiration date and keep a record of the financial transaction.
 - b. PHC may collect demographic information it obtains from individuals for fund raising purposes and to notify persons of PHC programs, events, educational opportunities and upcoming meetings.
 - c. PHC may collect aggregate and transactional information and add to its database every time a person visits the web site.
 - i. Transactional Information is data collected on an individual based on the individuals' interactions with the PHC, which may include sensitive information such as credit card information.

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- ii. Aggregate information is information presented in summary or statistical form which does not contain data that would permit the identification of a specific individual without extraordinary effort.
2. **Use of Personal Information by PHC.** When an individual provides personal information to PHC, we may use the personal information for our programs, educational opportunities, upcoming events and fundraising.
- a. PHC understands this information is highly proprietary and it will not be disclosed to third parties.
 - b. PHC will disclose all information as required by law.
 - c. PHC will make every effort to discontinue the use of an individual's personal information as soon as possible if requested by that individual. PHC may need to retain information in its archives and records to comply with law, resolve disputes, analyze problems and take other actions otherwise permitted or required by law.

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