



**Use and Disclosure of  
Protected Health Information (“PHI”) for Fundraising  
April 1, 2019**

**SCOPE**

This policy applies to Florida Atlantic University’s Covered Components and those working on behalf of the Covered Components (collectively “FAU”) for purposes of complying with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

**POLICY STATEMENT**

FAU may use demographic information and limited Protected Health Information (“PHI”) in order to contact individuals for fundraising purposes. Prior to using PHI for such purposes, the Covered Components Notice of Privacy Practices must state that the patient may be contacted for fundraising efforts and that the patient has a right to opt out of receiving any fundraising communications. FAU will not share or sell PHI to other external organizations or entities for their fundraising purposes.

**PURPOSE OF POLICY**

To establish a procedure by which FAU may use demographic and certain PHI in order to contact individuals for fundraising purposes in accordance with the HIPAA Privacy Rule.

**PROCEDURE**

FAU will use only the minimum amount of PHI necessary to accomplish its fundraising purposes, and at most, will use only the following information to facilitate fundraising efforts with its patients (unless the patient’s written authorization is obtained):

- Demographic information, including name, address, telephone number, e-mail, age, date of birth, and gender;
- Health insurance status;
- Dates of health care services;
- Department of service information;
- Treating health care provider(s); and
- General outcome information.

FAU may share this information for fundraising purposes with its institutionally related foundation. In accordance with the Minimum Necessary Use Policy of FAU, if any of the information listed above is not needed for a given fundraising purpose, that information will not be accessed or shared.

In any fundraising communications to patients, including telephone or face-to-face solicitations, FAU or its institutionally related foundation, as applicable, shall provide notice on how the individual may opt out of receiving any further fundraising communications. The opt out language must be clear and conspicuous, in plain language, and contain a simple, not unduly burdensome means to opt out.

FAU shall make reasonable efforts to ensure that individuals who have chosen to opt-out of receiving fundraising communications do not receive future communications. FAU may provide an individual who has elected not to receive further fundraising communications with a method to opt back in.

An individual's decision to opt-out does not lapse or expire. If an individual who has opted-out of fundraising communications makes a donation, this will not constitute a revocation or waiver of the decision to opt out. If FAU uses information from a public directory to mail fundraising communications to individuals in a particular service area without using any PHI, the opt-out provisions do not apply.

Patients have an absolute right to opt out. FAU will honor all requests not to receive any fundraising communications. Exercising a right to opt out shall have no impact on treatment or payment for services.