

**UNIVERSITY OF MAINE SYSTEM
HIPAA POLICY #22
DISCLOSURES FOR LAW ENFORCEMENT PURPOSES**

I. In General

Except as otherwise provided in UMS HIPAA Policies regarding Psychotherapy Notes, HIV and Substance Abuse Information, a Covered Component may disclose PHI for a law enforcement purpose to a law enforcement official if the conditions in paragraphs (a) through (d) below are met, as applicable.

A. Pursuant to process - A Covered Component may disclose PHI as required by law, including laws that require reporting of certain types of wounds or injuries, (except for laws regarding abuse, neglect and domestic violence which are subject to other Policies) or in compliance with and limited by:

1. A court order, warrant, subpoena or summons issued by a judge.
2. A grand jury subpoena, for PHI to which the Grand Jury is entitled according to statute or rules of court.
3. A subpoena from a governmental entity for health care information to which the governmental entity is entitled according to statute or rules of court, provided that the information sought is relevant and material to a legitimate law enforcement inquiry, the request is specific and limited in scope, and de-identified information could not reasonably be used.

B. Public Health - Except for disclosures required by law as permitted by (A) above, a Covered Component may disclose PHI to a law enforcement official if necessary to protect public health and welfare when reporting is required or authorized by law.

C. Decedents - A Covered Component may disclose PHI about a person who has died to a law enforcement official for the purpose of alerting law enforcement of the death if the Covered Component has a suspicion that the death resulted from criminal conduct.

D. Crime on Premises - A Covered Component may disclose to a law enforcement official PHI that the Covered Component believes in good faith constitutes evidence that a crime occurred on the premises of the Covered Component.

II. Additional Requirements

Except in an emergency, a Covered Component shall consult with the Privacy Official and University Counsel prior to making a disclosure under this Policy.

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