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|  | **Title**: | RELEASE OF INFORMATION | | **Policy #** | | RR.1.02 |
| **Division:** | Administration | | **Page:** | | Page 1 of 4 |
| **Coroner Signature:** | |  | **NAME Reference:** | | F2a, F2b, F2d | |
| **Approved/Revised Date:** | | **02-16-2024** | **IACME Reference:** | | A5e, A6j | |



**POLICY**:

To release information (including Protected Health Information (PHI)) when applicable, in accordance with state and federal laws, and with Health Insurance Portability and Accountability Act (HIPAA) regulations.

**PROCEDURE**:

1. **General**
   1. Unless otherwise stated, all information and documentation requests will be reviewed upon case closure.
   2. Requests shall be honored when received from authorized individuals.
   3. Requests shall be made in writing using the appropriate request form.
   4. Requests for information to be withheld regarding pending investigations will be addressed by the Coroner, or their designee, on an ad hoc basis.
   5. Requests and fulfillments shall be logged and recorded in the case management system.
   6. Release of documents and/or information generated from an external agency shall be referred to the originating agency.
   7. At no time shall the decedent’s name be released when:
      1. Positive identification has not yet been made.
      2. Legal next of kin has not been officially notified of the death.
   8. All requests for further information or interviews are to be referred to the Coroner, or designee.
   9. Disclosure of information to a personal representative:
      1. State and federal law shall be consulted in determining personal representative authority in receiving and or accessing information/documentation.
      2. Identity will be verified by the Administration Division prior to release of information.
2. **Categories**
   1. Autopsy and Inspection Reports:
      1. Not available to the public.
      2. Available to legal next of kin or personal representative.
      3. Available to offices and/or agencies legally entitled to receive such reports.
   2. Toxicology Reports:
      1. Not available to the public.
      2. Discussion with legal next of kin/personal representative shall include either the Coroner, the forensic pathologist, or the investigator.
      3. The forensic pathologist shall be the only individual to interpret the report and answer specific questions regarding the report.
      4. Results shall not be released over the phone by anyone other than the Coroner, or their designee.
         1. Exception: Information is being shared with a preauthorized individual.
   3. Investigation Reports:
      1. Not available to the public.
      2. Available to legal next of kin/personal representative.
      3. Copies available to offices and/or agencies legally entitled to receive such reports.
   4. Photographs:
      1. Available to the investigating law enforcement agency and prosecuting/defense attorneys.
      2. Shall not be released to legal next of kin/personal representative, the media, or the general public.
      3. Requests by legal next of kin/personal representatives may be made through their legal counsel and/or health professionals.
      4. If a photo disk fee applies, billing will be tracked and documented in the case management system.
   5. Media:
      1. No statements shall be made without express authorization by the Coroner.
      2. Preauthorized personnel will follow protocol regarding information available for release.
   6. Protected Health Information (PHI):
      1. To include past, present, and future medical information.
      2. A written release of information authorization from legal next of kin/personal representative is required, unless otherwise stated as an exception.
      3. Exceptions:
         1. Public Records Requests:
            1. When local, state, or federal laws do not require disclosure of death records and/or autopsy reports, the information will not be released to the public
            2. Public records
            3. Disclosure accounting
            4. Restrictions on use and disclosure
            5. Confidential communications
            6. Alleged privacy rights violation complaints
         2. Public Health:
            1. Injury, disability, disease prevention/control
            2. Abuse and neglect
            3. Potential communicable disease exposure
            4. Compliance with Occupational Safety and Health Administration (OSHA)
            5. Compliance with Mine Safety and Health Administration (MSHA)
            6. Workers’ Compensation Programs (OWCP)
            7. Health oversight
         3. Military:
            1. As required by the United States Armed Forces

Decedent was a member of the military

National security and intelligence activities

* + - 1. Law enforcement and federal authorities:
         1. Identification/apprehension of inmate, criminal, fugitive, witness, missing person
         2. Threat to health and safety of individuals or the community
         3. Victim of abuse, neglect, or domestic violence
         4. Criminal activity may have caused the death
         5. PHI is evidence of a crime
         6. Reportable wounds/injuries
      2. Death care:
         1. Identification, certification, and required actions of funeral directors, coroners, medical examiners

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* + - 1. Donation:
         1. Facilitation of donation and transplantation
      2. Judicial:
         1. Court order
         2. Subpoena
         3. Summons issued by a judicial officer
         4. Administrative tribunal
    1. Disclosure to a third party:
       1. Absent of a court order, an appropriate written request form is required for PHI release to third parties.