

(was MCCMH Policy 3-01-080)

Chapter: **CONFIDENTIALITY**
Title: **FACSIMILE DOCUMENT TRANSMISSION**

Prior Approval Date: 9/20/02
Current Approval Date: 12/22/04

Approved by: _____
Executive Director Date

I. Abstract

This policy establishes the standards of the Macomb County Community Mental Health Board (MCCMH) for the use of facsimile document transfer techniques pertaining to consumers, services, and activities of MCCMH administrative offices and its network providers.

II. Application

This policy shall apply to the MCCMH administrative offices and to all directly-operated and contract network providers of the MCCMH Board.

III. Policy

All transfer of MCCMH documents and data using facsimile (fax) electronic transfer shall be governed by the standards contained in this policy.

IV. Definitions

A. Facsimile (Fax)

A telecommunications device or the processes related to the operations of such a device for the transmission (using a modem or similar device) of a graphic image of a document.

V. Standards

A. The dissemination of clinical records, clinical summaries, listings of consumer-specific demographic data, consumer-specific (identifiable) activity reports, insurance eligibility and billing data, by facsimile is restricted to those applications enumerated in this policy.

- B. The confidential nature of material contained in MCCMH documents shall be the basis of such restrictions. The restrictions are established to ensure that the risks of unintended disclosure to unauthorized persons shall be minimized.
- C. Modification of the application of these standards is authorized (where noted) for facsimile transfer of:
 - 1. Correspondence and clinical record materials among MCCMH administrative offices and providers.
 - 2. Correspondence and clinical record materials between the Board and the Michigan Department of Community Health (MDCH) or between the Board and other Michigan CMH boards / authorities in Michigan.
 - 3. Release of information authorization forms where the express purpose of the release is to facilitate mental health services or correlated social services at human service agencies.
- D. Transfer of insurance eligibility and billing data (where the information is pertinent to or the revenues will accrue to the Board or its network providers) by electronic media is permitted. This includes the delivery of facsimile document transmission via common carrier.
- E. Authorization to an agency or party to transmit treatment-related documents to a MCCMH provider shall only be permitted when the documents will be received in a secure (non-public) area. Materials may not be accepted in areas or offices where they may be viewed or handled by individuals other than MCCMH administrative or provider staff.
- F. Response to the receipt of a release / subpoena / court order by facsimile shall only be acknowledged when the original document has been requested and subsequently has been received or applicable standards have been met. The receiving MCCMH provider may begin preparation of materials requested or subpoenaed based on the facsimile document but shall not release confidential information until the authentication of the release or other authorization has been completed. This typically means receipt of the original. Specific exception to this standard for treatment-related services is provided in standard V.C above.
- G. All MCCMH documents / document packets transmitted by facsimile shall be accompanied by an approved FAX TRANSMISSION COVER SHEET (See Exhibit A for example) which shall include notice to the receiving party that the materials sent may include confidential information and should only be used for the purpose(s) intended in the authorized transmission. (See Exhibit A for example.)

- H. Facsimile transmissions of MCCMH documents (including confidential information from other sources) shall be done by authorized administrative and provider staff only.

VI. Procedures

- A. Procedures shall be contained in Provider manuals.

VII. References / Legal Authority

- A. MCL 330.1748; MSA 14.800(748)
- B. 1990 Administrative Rules, R 330.2130(6)
- C. Commission on Accreditation of Rehabilitation Facilities (CARF) 2004 Standards Manual, §2.A., "Behavioral Health Leadership & Management," 3.c.3., p 55

VIII. Exhibit

- A. Facsimile Transmittal Cover Sheet, MCCMH #198 (example)

MACOMB COUNTY COMMUNITY MENTAL HEALTH

5th Floor, Macomb County Building
Mount Clemens, Michigan 48043

Voice: (586) 469-5275
Fax: (586) 469-7674

FAX TRANSMITTAL

Please deliver as soon as possible

DATE: _____

NUMBER OF PAGES: _____ (including this cover sheet)

TO: _____

LOCATION: _____

FAX NUMBER: (_____) _____

PHONE NUMBER: (_____) _____

FROM: _____

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COMMENTS:

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