

EVMS Medical Group		
POLICY: Marketing, Use and Disclosure of PHI	DATE: 3/2003	
CATEGORY: PRIVACY	REVIEWED/ REVISED: 04/2013	Page 1 of 1

PURPOSE: The purpose of this policy is to comply with the Privacy Rule 164.508. The referenced section of the Privacy law defines the requirements for using and disclosing protected health information for marketing purposes.

DEFINITION: For purposes of the Final Privacy Rule, "marketing" refers to a communication about a product or service that encourages recipients (patients) of the communication to purchase or use the product or service. Also considered "marketing" is an arrangement between EVMS Medical Group and/or its affiliates and any other entity that involves direct or indirect remuneration to EVMS Medical Group.

Communications not considered "marketing" under the Final Privacy rule:

1. Communications made to describe a health related product or service that is provided by EVMS Medical Group, such as a communication about an EVMS Medical Group physician's participation in a health network.
2. Communications made which involve the treatment of a patient
3. Communications made to coordinate care, or to recommend treatments, therapies, health care providers or health care settings to the patient.

PROCEDURE: EVMS and its affiliates must obtain an Authorization (See Authorization policy in the Privacy Manual) for any use or disclosure of protected health information (PHI), except in certain limited circumstances.

Use and or disclosure of PHI where an authorization is not needed:

- A face to face communication made by EVMS Medical Group to an individual
- A promotional gift of nominal value provided by EVMS Group