USE AND DISCLOSURE OF PHI FOR MARKETING ACTIVITIES

SCOPE OF POLICY

This policy applies to all staff, volunteers, consultants/contractors, students, interns or vendors.

STATEMENT OF POLICY

Marketing activities are things that are done to try and get people to use a product or service. It can include things in writing and things said verbally. The Arc of Monroe does marketing to try and get people to come to use for services and supports. Sometimes, we will use PHI in our marketing. Please see the policy on Protected Health Information (PHI) for more information on that. We will be respectful of the people we support when we do our marketing. In most cases, we need permission from the person before we can use their PHI in marketing.

There are some things that we do that may seem like marketing, but they aren’t. Examples include:

- Telling people we support whether a service is provided by The Arc
- Telling people we support whether a service or support will be covered by insurance
- Talking with people we support about a service or support that might help them improve
- Talking with people we support about other types of services or supports, or other providers that might help them.

Here are some marketing things that we don’t need permission from the person we support to do:

- If we talk to them face-to-face, even if we give them information like a brochure
- If we talk with them and give them an inexpensive promotional gift (like a pen or water bottle) to talk about what we do as an agency

We need an authorization for any other type of marketing. Some examples include:

- A mass mailing where we talk about another company’s services
- Selling people’s names and information (PHI) to other companies so that they can use it for their own marketing

Anytime we share PHI as part of marketing, we need to write it on the “accounting of disclosures form.” Please see the policy on account of disclosures for more information.

Effective date: 4/1/03

Revised: 9/15/08, 12/27/18