

Additional Notice to Residents of

Rhode Island

Disclosure – Pharmacist-Specific

We will only disclose your prescription information to our agents and persons directly involved in your care.

Disclosure – Health Care Provider

We will not disclose your confidential health care information without your consent, except in the following situations:

- (1) To a physician, dentist, or other medical personnel who believes in good faith that the information is necessary for diagnosis or treatment of that individual in a medical or dental emergency;
- (2) To medical and dental peer review boards, or the board of medical licensure and discipline, or board of examiners in dentistry;
- (3) To qualified personnel for the purpose of conducting scientific research, management audits, financial audits, program evaluations, actuarial, insurance underwriting, or similar studies, provided that personnel shall not identify, directly or indirectly, any individual patient in any report of that research, audit, or evaluation, or otherwise disclose patient identities in any manner;
- (4) By a health care provider to appropriate law enforcement personnel, or to a person if the health care provider believes that person or his or her family to be in danger from a patient; or to appropriate law enforcement personnel if the patient has or is attempting to obtain narcotic drugs from the health care provider illegally; or to appropriate law enforcement personnel or appropriate child protective agencies if the patient is a minor child who the health care provider believes, after providing health care services to the patient, to have been physically or psychologically abused; or to law enforcement personnel in the case of a gunshot wound reportable under R.I. Gen. Laws § 11-47-48;
- (5) Between or among qualified personnel and health care providers within the health care system for purposes of coordination of health care services given to the patient and for purposes of education and training within the same health care facility; or
- (6) To third party health insurers for the purpose of adjudicating health insurance claims including to utilization review agents as provided by R. I. Gen. Laws § 23-17.12-9(11);
- (7) To a malpractice insurance carrier or lawyer if the health care provider has reason to anticipate a medical liability action; or
- (8) To the health care provider's own lawyer or medical liability insurance carrier if the patient whose information is at issue brings a medical liability action against a health care provider.
 - (ii) Disclosure by a health care provider of a patient's health care information which is relevant to a civil action brought by the patient against any person or

persons other than that health care provider may occur only under the discovery methods provided by the applicable rules of civil procedure (federal or state). This disclosure shall not be through ex parte contacts and not through informal ex parte contacts with the provider by persons other than the patient or his or her legal representative. Nothing in this section limits the right of a patient or his or her attorney to consult with that patient's own physician and to obtain that patient's own health care information;

- (9) To public health authorities in order to carry out their functions as described in this title 5 and titles 21 and 23, and rules promulgated under those titles. These functions include, but are not restricted to, investigations into the causes of disease, the control of public health hazards, enforcement of sanitary laws, investigation of reportable diseases, certification and licensure of health professionals and facilities, review of health care such as that required by the federal government and other governmental agencies;
- (10) To the state medical examiner in the event of a fatality that comes under his or her jurisdiction;
- (11) In relation to information that is directly related to current claim for workers' compensation benefits or to any proceeding before the workers' compensation commission or before any court proceeding relating to workers' compensation;
- (12) To the attorneys for a health care provider whenever that provider considers that release of information to be necessary in order to receive adequate legal representation;
- (13) By a health care provider to appropriate school authorities of disease, health screening and/or immunization information required by the school; or when a school age child transfers from one school or school district to another school or school district;
- (14) To a law enforcement authority to protect the legal interest of an insurance institution, agent, or insurance-support organization in preventing and prosecuting the perpetration of fraud upon them;
- (15) To a grand jury or to a court of competent jurisdiction pursuant to a subpoena or subpoena duces tecum when that information is required for the investigation or prosecution of criminal wrongdoing by a health care provider relating to his or her or its provisions of health care services and that information is unavailable from any other source; provided, that any information so obtained is not admissible in any criminal proceeding against the patient to whom that information pertains;
- (16) To the state board of elections pursuant to a subpoena or subpoena duces tecum when that information is required to determine the eligibility of a person to vote by mail ballot and/or the legitimacy of a certification by a physician attesting to a voter's illness or disability;
- (17) To certify, pursuant to chapter 20 of title 17, the nature and permanency of a person's illness or disability, the date when that person was last examined and that it would be an undue hardship for the person to vote at the polls so that the person may obtain a mail ballot;
- (18) To the central cancer registry;
- (19) To the Medicaid fraud control unit of the attorney general's office for the investigation or prosecution of criminal or civil wrongdoing by a health care provider relating to his or her or its provision of health care services to then Medicaid eligible recipients or patients, residents, or former patients or residents

- of long term residential care facilities; provided, that any information obtained is not admissible in any criminal proceeding against the patient to whom that information pertains;
- (20) To the state department of children, youth, and families pertaining to the disclosure of health care records of children in the custody of the department;
 - (21) To the foster parent or parents pertaining to the disclosure of health care records of children in the custody of the foster parent or parents; provided, that the foster parent or parents receive appropriate training and have ongoing availability of supervisory assistance in the use of sensitive information that may be the source of distress to these children;
 - (22) A hospital may release the fact of a patient's admission and a general description of a patient's condition to persons representing themselves as relatives or friends of the patient or as a representative of the news media. The access to confidential health care information to persons in accredited educational programs under appropriate provider supervision shall not be deemed subject to release or transfer of that information under subsection (a) of R. I. Gen Laws § 5-37.3-4(b);
or
 - (23) To the workers' compensation fraud prevention unit for purposes of investigation under R. I. Gen. Laws §§ 42-16.1-12 – 42-16.1-16. The release or transfer of confidential health care information under any of the above exceptions is not the basis for any legal liability, civil or criminal, nor considered a violation of this chapter 5.

(Source: R.I. Gen. Laws § 5- 37.3-4(b))