

WHAT YOU NEED TO KNOW ABOUT Protected Health Information (PHI)



What's PHI?

PHI is an individual's identifiable health information held or transmitted in writing or verbally by a covered entity (health care provider, healthcare clearinghouse, or health plan).

Information is considered health information if it relates to an individual's:

- **past, present, or future physical or mental health condition;**
- **the provision of health care; or**
- **the past, present, or future payment of health care**

What counts as PHI?

Common individual identifiers* that may create PHI include:

- Names
- Social security numbers
- Telephone numbers
- Fax numbers
- Email addresses
- Medical record numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers
 - Example:**
 - » license plate numbers
- Biometric identifiers
 - Example:**
 - » finger and voice prints
- Health plan beneficiary numbers
- Device identifiers and serial numbers
- Account numbers
- Web Universal Resource Locators (URLs)
- Internet Protocol (IP) address
- Geographic subdivisions smaller than a state
 - Examples:**
 - » street address
 - » city, country
 - » precinct
 - » zip code
- Dates (except year) directly related to an individual
 - Examples:**
 - » birth date
 - » admission date
 - » discharge date
 - » date of death
 - » all ages over 89
- Full face photographic images and any comparable images
- Any other unique identifying number, characteristic, or code

Exclusions:

- Health information contained in employment records and education records
- Health information of an individual who has been deceased for more than 50 years

*Must be related to health information

De-Identified Information

Health information that has been de-identified is no longer considered PHI and may be used and disclosed for any purpose. “De-identified” simply means that all the information in the PHI that could be used to identify an individual has been removed.

The government has provided safe harbor guidance for de-identification. It consists of two parts:

1. A list of 18 specific identifiers must be removed; and
2. Absence of actual knowledge that the remaining information could be used to identify an individual.

Part 1: The 18 identifiers

Common individual identifiers* that may create PHI include:

The following identifiers of an individual or of relatives, employers, or household members of the individual, must be removed:

1. Names;
2. All geographic subdivisions smaller than a State, such as street address, city, county, precinct, zip code, etc.
3. All elements of dates (except year) for dates directly related to an individual, such as birth date, admission date, etc.
4. Telephone numbers;
5. Fax numbers;
6. Electronic mail addresses;
7. Social security numbers;
8. Medical record numbers.
9. Health plan beneficiary numbers;
10. Account numbers;
11. Certificate/license numbers;
12. Vehicle identifiers and serial numbers, including license plate numbers;
13. Device identifiers and serial numbers;
14. Web Universal Resource Locators (URLs);
15. IP address numbers;
16. Biometric identifiers, including finger and voice prints;
17. Full face photographic images and any comparable images; and
18. Any other unique identifying number, characteristic, or code.

Part 2: The Absence of Actual Knowledge

Actual knowledge means clear and direct knowledge that the remaining information could be used, either alone or in combination with other information, to identify an individual who is a subject of the information.

In other words, a Covered Entity has actual knowledge if it concludes that the de-identified information could still be used to identify an individual.

