



STATE OF CONNECTICUT
DEPARTMENT OF MENTAL RETARDATION



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To: Private Providers

Date: April 7, 2004

**AN IMPORTANT NOTICE REGARDING PROTECTED HEALTH INFORMATION
AND THE DEPARTMENT OF MENTAL RETARDATION
FIRE SAFETY GUIDELINES**

Some information included in a facility's "Site Specific Fire Safety and Emergency Plan" (see Part II of the DMR Fire Safety and Emergency Guidelines) such as data required in the template provided in Annex 2, - "Site Specific Fire and Emergency Plan Template" will include Individually Identifiable Health Information.

Therefore a completed emergency plan contains Protected Health Information and is subject to
privacy policy.

When faxing emergency plans a fax cover sheet should include the following, or similar information:
This emergency plan contains **PRIVILEGED AND CONFIDENTIAL INFORMATION** protected by Federal (HIPAA, Public Law 104-191) and State laws. It is intended only for the use of the named individual or entity. If you are not the recipient of this facsimile, or the employee responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited.

Providers are reminded that to comply with HIPAA requirements for accounting of disclosures, facility staff should record any disclosure of PHI to non-DMR personnel, such as to the Authority Having Jurisdiction (e.g., the Fire Marshal).

For example, a log entry is needed when the Fire Marshal reviews the DMR SITE SPECIFIC FIRE SAFETY PLAN when creating/approving it (e.g. the annual inspection). The log entry description for the disclosure could be "Fire Marshal review of DMR SITE SPECIFIC FIRE SAFETY PLAN".

A log entry should also be made anytime the plan is distributed to appropriate authorities. The log entry description for this disclosure could be, for example: "Copy of DMR SITE SPECIFIC FIRE SAFETY PLAN provided to Fire Marshal".

Please contact your HIPAA Privacy Officer for your agency to answer questions you may have.