



## When can I obtain treatment information about my loved one?

This decision tree addresses health information about adult patients under HIPAA.

Are you the patient's personal representative (*i.e.*, do you have legal authority to make health care decisions for the patient)?

YES

Does the health care provider have concerns that you may be endangering the patient or not acting in the patient's interests?

NO

The health pro

YES

You can access all of the patient's health information used by the provider to make decisions about the patient (except for a psychotherapist's private session notes). You can decide where to send copies of the patient's health information. You can exercise all of the patient's privacy rights regarding their health information.

The health provider can decide whether to treat you as the patient's personal representative, and, thus, whether you can access all of the patient's treatment information. If you are not recognized as a personal representative, information may be provided based on your involvement with the patient's health care, if in the patient's best interests.

The health provider can share information related to your involvement in your loved one's health if the patient agrees (or does not object), or if you can help prevent or lessen a threat of harm to the patient or others.

Are you involved with the health care or payment for care of your family member or loved one (e.g., do you provide housing, companionship, transportation, supervision, assistance with medications, making appointments, paying health bills, or other assistance)?

NO

Is the patient capable of making decisions

YES

NO

Yes NO

right now?

The health provider can share information related to your involvement in your loved one's health if they decide it is in the patient's best interest, or if you can help prevent or lessen a threat of harm to the patient or others.

The health provider can share patient information with you if they need your help in identifying involved family, friends, or caregivers, and can provide general directory information if the patient does not object. They can also share information if needed to prevent or lessen a threat of harm to the patient or others.