



Wintergreen Fire and Rescue Standard Administrative Policy	
Subject:	News Media Interaction
Reference Number:	ADM 05-018
Effective Date:	1-Jan-21
Last Revision Date:	22-Mar-22
Signature of Approval	Curtis Sheets, Chief

Purpose:

The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) establishes the circumstances under which individuals’ protected health information (“PHI”) can be disclosed. Generally, Wintergreen Rescue Squad may not disclose PHI to the news media without the patient’s written express authorization. In addition, state laws may also grant patients additional privacy protections and may enable parties to bring legal action for invasion of privacy or other related causes of action for improper releases of patient information to the news media – sometimes even information that might not qualify as PHI under HIPAA.

This policy establishes consistent guidelines for Wintergreen Rescue Squad to follow when dealing with requests from the media so that Wintergreen Rescue Squad respects individual privacy rights and complies with applicable federal and state law. This policy is meant to work in conjunction with Wintergreen Rescue Squad’s “News Media Interaction”. Wintergreen Rescue Squad fully respects the right of the public to know about events, but we will provide information to the news media only to the extent that the law allows us and only when it would not infringe on the privacy rights of our patients.

Definition(s):

Public Information Officer (PIO) - Wintergreen Fire & Rescue’s PIO will be either the Chief of Fire and Rescue or the current Officer in Charge (OIC)

Scope:

This policy applies to all Wintergreen Rescue Squad staff and volunteer members who might come into contact with or who may be contacted by various media outlets. Generally, all requests from the media for any information about an incident involving Wintergreen Rescue Squad will be directed to our PIO.

Procedure:

Requests from the News Media

1. Wintergreen Rescue Squad staff members will at all times treat members of the media in a professional manner when a request for information is made.
2. All information requests from the news media received by any Wintergreen Rescue Squad staff members shall be directed to the PIO. Upon receipt of a request for information from the news media, staff members should inform the news media

requestor that it is the policy of Wintergreen Rescue Squad that all media requests be handled by one official and staff members should obtain the contact information of the media personnel to relay to the PIO. This information should be relayed to the PIO as soon as possible.

3. Staff members other than Wintergreen Rescue Squad's PIO are not permitted to release information to the news media, unless authorized or directed by the appropriate Officer to do so.
4. The PIO shall use discretion in handling requests from the news media and when deciding whether to release (or permit the release) of information to the media. The PIO should only release information to the media when such release would not violate federal or state laws and when release would not infringe a patient's reasonable expectation of privacy. For example, if Wintergreen Rescue Squad transported a high profile member of the community, Wintergreen Rescue Squad should decline to disclose even general information that does identify the individual to the media since it is likely the patient's identity would be known to anyone hearing the report.

Releasing Information to the News Media

1. Wintergreen Rescue Squad may not release any PHI to the news media, absent a patient's written, signed authorization. In the event that the patient or the patient's authorized representative signs a HIPAA-compliant authorization form, disclosures of information, including PHI, may be made so long as they are done in accordance with the express terms of the written Authorization. Wintergreen Rescue Squad's "HIPAA Consent to Release" form should be used for this purpose.
2. If there is no written authorization from the patient, Wintergreen Rescue Squad may only release information that is "de-identified." De-identified information is information that does not identify an individual and there is no reasonable basis to believe that the information can be used to identify a specific individual. Wintergreen Rescue Squad may only release the following types of "de-identified" information to members of the media where appropriate:
 - a. **Name of hospital.** Wintergreen Rescue Squad may provide the name of the hospital to which patients have been transported. (*Example:* The media calls about "the accident at Rte. 6 and Rte. 151 earlier this afternoon." Wintergreen Rescue Squad may inform the media that "a patient was transported from the accident scene to UVA.")
 - b. **Number of patients.** Wintergreen Rescue Squad may provide the total number of patients involved in an incident or transported to a facility. Wintergreen Rescue Squad may not indicate specifics, such as the type of vehicle a patient was driving or which patient went to a particular facility. (*Example:* Wintergreen Rescue Squad may inform the media that "four patients were transported from the structure fire. Two were taken to UVA and two were taken to Augusta Health.")
 - c. **Age & Gender.** Wintergreen Rescue Squad may provide the age of a patient and the gender of the patient, unless it could reasonably be used to identify the patient. (*Example:* Wintergreen Rescue Squad may inform the media that "a 39 y/o male was transported from the accident on Rte. 29.")

- d. **Designation of crew members.** Wintergreen Rescue Squad may state, for example, that one paramedic and two EMTs were involved in caring for the patients involved in a motor vehicle accident. Wintergreen Rescue Squad may identify the titles of the personnel who responded. (*Example:* Wintergreen Rescue Squad may inform the media that “Wintergreen Rescue Squad personnel on the scene of the incident included two paramedics, a supervisor, and advanced life support was administered.”)
- e. **Type of Transport.** Wintergreen Rescue Squad may indicate that a particular call was an emergency and that transportation was facilitated by ambulance or helicopter. (*Example:* “Of the 3 patients on the scene of the incident, one was transported by helicopter to UVA and two were transported non-emergency to Augusta Health.”)