



Office of Regulatory Compliance

HIPAA Policy 5.1

Title:	Marketing
Source:	Office of Regulatory Compliance
Prepared by:	Assistant Vice Chancellor for Regulatory Affairs
Approved by:	Vice Chancellor for Research
Effective Date:	July 1, 2013
Replaces:	02/26/03
Applies:	All UCD campuses

Introduction

Purpose

The purpose of this policy is to identify the circumstances in which the University of Colorado Denver is authorized to contact patients or their representatives for the purpose of marketing.

Reference

45 C.F.R. § 164.508(a)(3).

Applicability

It is the responsibility of anyone in the UCD who wishes to contact individuals for marketing using PHI to follow this policy.

The UCD may not use or disclose PHI for marketing purposes without an authorization meeting the requirements of UCD HIPAA Policy 3.1 and the exceptions provided here.

Policy

The UCD must obtain an authorization for any use or disclosure of protected health information for marketing except in the following circumstances: 1) if the communication is a face-to-face communication between the UCD and the individual; or 2) if the communication involves only a promotional gift of nominal value provided by the UCD. Additionally, if the marketing involves direct or indirect remuneration to the UCD from a third party, the authorization must state that remuneration is involved.

The UCD cannot sell PHI to any other person or entity.