

The Wisconsin Poison Center and HIPAA Regulations:

We have developed this letter with the input of the Wisconsin Hospital Association in order to assist health care providers with their concerns of contacting the Wisconsin Poison Center for consultation and sharing patient health information with the Wisconsin Poison Center.

A Nationwide, toll-free number for poison centers was implemented in 2001 with funding from CDC and the Health Resources and Services Administration (HRSA). The State of Wisconsin's Poison Center is located at Children's Hospital of Wisconsin, Milwaukee, and in 2008 received > **51,000** inquiries from the general public and health care professionals. Access to the Wisconsin Poison Center is provided statewide, 24 hours * 365 days.

1-800-222-1222

May a treating physician, nurse, EMT, or other health care professional disclose protected patient information by contacting a poison center for treatment advice on a particular patient?

How will the HIPAA guidelines on patient privacy affect the interaction of health care professionals with a poison center?

HIPAA allows for health care providers to interact, sharing protected patient health information when that process is required to render treatment. Poison Centers are considered health care providers.

Federal Register: Rules and Regulations, December 28, 2000 (65: 250, p 82626)

“We note that poison control centers are health care providers for purposes of this rule. We consider the counseling and follow-up consultations provided by poison control centers with individual providers regarding patient outcomes to be treatment.” *Treatment – Sec 164.501* – “The counseling and follow-up consultations provided by poison centers with individual providers regarding patient outcomes is treatment. “

As poison centers are defined as health care providers and their functions considered treatment, a poison center and other health care providers can share protected health information about the treatment of a particular individual. Information provided to the poison center is vital for us to make appropriate assessments and treatment advice. All poisoning cases are unique. Our knowledge of the patient's status markedly enhances our ability to determine best course of action and identify potential risks that may evolve due to the poisoning.

What about patient consent?

When the patient, or family member, contacts us prior to arriving to the health care facility we feel that our consent to be involved is implied. If a hospital initiated the call to us, we feel it is important for providers to inform their patients that the Wisconsin Poison Center was contacted. In circumstances when that consent cannot be immediately obtained, providers should not hesitate to consult with the Wisconsin Poison Center.

Why does the Wisconsin Poison Center staff complete follow up calls to health care facilities?

The Wisconsin Poison Center seeks to complete patient follow up on 100% of the cases referred by a health care facility. Follow up calls are completed using the patient's name. Information received from follow up calls provides for assessment of the interventions completed and documenting the outcomes of poisoned patients. This information is used for quality improvement and developing best practices for managing poisonings.

Is this process confidential between providers?

Information received by the Wisconsin Poison Center is treated with the same level of security and confidentiality as an electronic medical record. Patient charts are released only with written consent of the patient / guardian.