

Monterey County Behavioral Health, Quality Improvement

Monterey County Behavioral Health Quality Improvement Clarification Memo

DATE: April 24, 2017

SUBJECT: Use of Emails to Transmit Protected Health Information (PHI) and Personally Identifiable Information (PII) among staff members, contracted providers, and business associates

Definition

Use of email to conduct business is commonplace. For this reason, additional considerations must be made when sending Personal Health Information (PHI) and Personally Identifiable Information (PII) using electronic forms of communication. Specifically, the focus of this clarification memo is for use of email to transmit PHI and PII between staff members, contracted providers, and business associates, as permitted by law.

Clarification on the use of email to transmit PHI/PII is necessary to safeguard confidential patient information. Monterey County Health and Behavioral Health policies require all staff, employees, volunteers, students and business associates to comply with all applicable federal and state confidentiality laws, including laws pertaining to confidentiality and privacy of physical health, mental health, HIV, substance use disorders and/or other sensitive services records.

If PHI/PII must be transmitted using email, all MCBH staff may do so only through secure remote access or via encrypted/otherwise secure portable devices approved by Monterey County Health Department.

When sending PHI/PII using email, consider the following:

- Whether it is necessary for the email to disclose PHI/PII and, if so, whether the email must disclose the extent of the PHI/PII being transmitted
- Use only the minimum necessary PHI/PII in your email communications
- Limit patient identifiers where practicable, especially where the information is specifically protected by state law or could be used to perpetrate identity theft.
- Use non-descriptive client data on the subject line; Use of individual's PHI in the subject line is not permissible
- Double check email address *before* your click on send, reply, or reply all
- Be aware of the risk that an email address could be incorrectly typed or auto-filled
- If you receive an email, before selecting "reply all" ensure there are not personal email addresses listed

Monterey County Behavioral Health, Quality Improvement

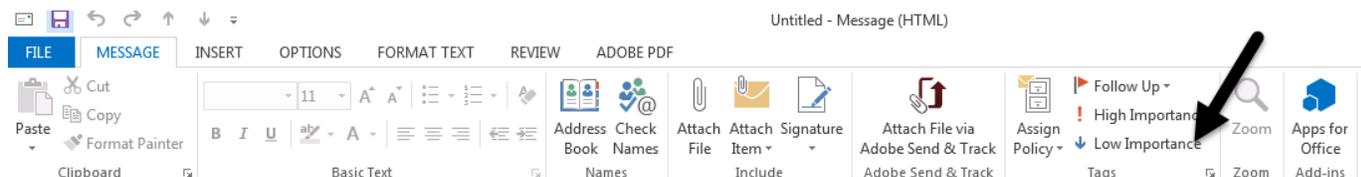
Procedures

MCBH does not authorize the use of personal emails to conduct business, especially the transmission of Personal Health Information (PHI) and/or Personally Identifiable Information (PII). If PHI/PII must be transmitted using email, all MCBH staff may do so only through secure remote access or via encrypted/otherwise secure portable devices approved by Monterey County Health Department.

PHI/PII may only be disclosed as permissible by law. All emails containing PHI/PII must be sent using encryption methods. This includes emails transmitted within Monterey County Health Departments, including between Behavioral Health programs, as well as treatment providers and community business associates. Again, disclosures are only permissible as permitted by law.

Sending a Secure Email

- All staff are required to follow the following procedures for sending an encrypting email when sending PHI and PII, as permitted by law.
- Select “Low Importance” to send an encrypted/secure email. Although it is counterintuitive, the use of “Low Importance” will send an encrypted email. This method can be used from Microsoft Outlook, online Outlook (from Office 365 Portal) or from your mobile device (those approved for County use)



Opening a Secure Email (Receive, view and reply to encrypted messages)

- A message that is encrypted by Office 365 Message Encryption is delivered to a recipient’s inbox just like any other email message, but it contains an HTML file attachment. After opening the attachment, the recipient can select the use of a one-time passcode to view the message on the Office 365 Message Encryption portal. You will receive an email with the one-time password. The e-mail includes instructions for viewing the encrypted message, as in the following example:

Monterey County Behavioral Health, Quality Improvement

 Reply  Reply All  Forward



testing



This message was sent with Low importance.

If there are problems with how this message is displayed, [click here to view it in a web browser](#).



message.html
98 KB

[Bing Maps](#)

You've received an encrypted message from [REDACTED]@co.monterey.ca.us

To view your message

Save and open the attachment (message.html), and follow the instructions.

Sign in using the following email address: [REDACTED]@co.monterey.ca.us

This email message and its attachments are for the sole use of the intended recipient or re

Which account would you like to sign in with to view your encrypted message?



Microsoft account

Create a Microsoft account for RoblesL@co.monterey.ca.us that you can use to view this message and to access other Microsoft services, such as OneDrive, Xbox LIVE, or Outlook.com.



Work or school account

Sign in with the account provided by your work or school to use with Office 365 or other Microsoft services.



[Don't want to sign in? Use a one-time passcode to view the message.](#)

Monterey County Behavioral Health, Quality Improvement



Work or school, or personal Microsoft account



██████████@co.monterey.ca.us

Keep me signed in

Sign in

Back

[Can't access your account?](#)

- You may sign in to Office 365 to view the message. Please note, if you choose “keep me signed in” you will remain logged in and will not be asked to enter a password next time you receive an encrypted email.
- You will need to enter the one-time password to view the message. Note: If the recipient is inactive for more than 15 minutes, they are automatically signed out of the encryption portal.

All MCBH polices all accessible via QI website:

<http://www.co.monterey.ca.us/government/departments-a-h/health/behavioral-health/quality-improvement/policies-and#qi>