

## Operational Policy

<b>Policy Title:</b>	<b>Individual Privacy: Alternate Communications</b>		
<b>Policy Number:</b>	OHA-100-007		
<b>Original Date:</b>	7/22/2014	<b>Last Update:</b>	10/03/2016
<b>Approved:</b>	Mark Fairbanks, OHA CFO		

### Purpose

This policy is one of a series that outlines Oregon Health Authority (OHA) guidelines and expectations for the necessary collection, use, and disclosure of protected information about individuals in order to provide services and benefits while maintaining reasonable safeguards to protect the privacy of protected information.

### Description

This policy describes the right of individuals to protect their privacy by asking to receive information by alternate means or at alternate locations. All OHA staff should review privacy policies 100-002 through 100-008 to be sure they understand how these policies work together to protect individual privacy.

### Applicability

This policy applies to all OHA staff including employees, volunteers, interns and agency contractors.

As keepers of the public trust, all agency employees have a responsibility to comply with state and agency policies, administrative rule, and state and federal law. The agency takes this responsibility seriously and failure to fulfill this responsibility is not treated lightly. Employees who fail to comply with state or agency policy, administrative rule, or state and federal law may face progressive discipline, up to and including dismissal from state service.

### Policy

1. Individuals have the right to request that OHA send them information in a specific way that is different from where or how OHA would send information normally. This can mean having information sent in a language other than English, by mail, email, fax or telephone, or at an alternate location such as a secondary address.
  - a. When asking to receive information in a different manner or at a different location the individual must give OHA clear information about how or where the information should be provided.
  - b. The individual is not required to explain the basis for the request.
  - c. Federal or state statute or rule may prevent OHA from communicating only by telephone; an individual may provide another alternative, such as an email or physical address.

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2. An individual may ask to receive information in a different way or at a different location verbally, by completing form MSC 2101, or by submitting the request in another manner acceptable to OHA.
    - a. If an individual makes a request verbally and in-person, OHA shall document the request and ask for the individual's signature.
    - b. If an individual makes a request by telephone or electronically, OHA shall document the request and verify the identity of the requestor.
  3. OHA shall comply with the Oregon Address Confidentiality Program at the request of the individual.
  4. OHA shall notify the individual of the acceptance of the request in a manner that is consistent with the request for a different means of communication – at the alternate location or in the alternate format.
  5. OHA may end the agreement to send information to a different location or through a different method of communication if:
    - a. The individual agrees to or requests termination of the alternate communication arrangements verbally or in writing.
    - b. OHA is unable to contact the individual at the location or in the manner requested.
    - c. The individual has failed to respond to payment requests sent to the different location or in the manner requested.
  6. If OHA ends the agreement in compliance with this policy, OHA shall inform the individual that the agreement is being ended and give OHA's reason for making that decision.
  7. If OHA policy conflicts with federal or state statute or rule, that statute or rule supersedes unless the OHA policy provides more protection.

## References

[ORS 179](#)

[ORS 192](#)

[ORS 419A](#)

[34 CFR 361](#)

[42 CFR Part 2](#)

[45 CFR Part 160](#)

[45 CFR Part 164](#)

[42 U.S.C. Chapter 114](#)

[42 U.S.C. Chapter 144](#)

[Privacy/Security Glossary of Common Terms](#)

## Forms

[MSC 2101](#) Special Handling for Confidential Communications

## Contacts

Information Security and Privacy Office (ISPO)

Phone: 503-945-6812 (Security)

503-945-5780 (Privacy)

Fax: 503-947-5396

[dhsinfo.security@state.or.us](mailto:dhsinfo.security@state.or.us)

[dhs.privacyhelp@state.or.us](mailto:dhs.privacyhelp@state.or.us)

U. S. Department of Health and Human Services, Office for Civil Rights  
Medical Privacy, Complaint Division  
200 Independence Avenue, SW

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Washington, D.C. 20201  
Toll free Phone: 877-696-6775  
Phone: 866-627-7748  
TTY: 886-788-4989  
Email: <mailto:OCRComplaint@hhs.gov>

### **Policy History**

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### **Keywords**

Individual privacy, Protecting privacy, Alternate means, Alternate location, Alternate communication, Oregon Address Confidentiality Program