HIPAA Bill of Rights

For Families & Caregivers

Right #1 I can give the care team information.

Even when a provider cannot disclose protected health information to you, HIPAA does not prevent the provider from listening to information you provide about the patient's health and well-being. [1]

Right #2 I can ask what you are allowed to discuss with me.

When a patient agrees, does not object, or circumstances reasonably indicate that they do not object, a provider may share information directly relevant to that family member or caregiver's involvement in care. [2,3]

Right #3 We can clarify who the patient wants involved.

Patients can tell providers that they want a family member, caregiver, friend, or other person involved in their care and related communication.

Key federal sources

Right #4 Incapacity does not automatically end family communication.

If a patient is not present or is unable to agree or object because of incapacity or emergency circumstances, HIPAA permits a provider to use professional judgment to determine whether sharing relevant information with someone involved in the patient's care is in the patient's best interest. [2,4]

Right #5 Safety concerns should be clearly communicated.

HIPAA permits certain disclosures when a provider believes there is a serious and imminent threat to the health or safety of the patient or others and disclosure can help lessen that threat, subject to applicable law and professional standards. [1,4]

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Educational resource only; not legal advice. HIPAA establishes federal privacy protections, but state law, other federal laws, professional ethics, the patient's wishes, facility policies, and the specific circumstances may impose additional requirements or restrictions.