


E-Mail Informed Consent and Release Form

Introduction

The Business Name listed above will be referred to as the 'BUSINESS' in this document.

The BUSINESS provides patients the opportunity to communicate with it by email. Transmitting confidential patient information by email has a number of risks, both general and specific, that patients should consider before using email.

General Email Risks

- Email can be immediately broadcast worldwide and be received by many intended and unintended recipients
- Recipients can forward email messages to other recipients without the original sender's permission or knowledge 
Users can easily misaddress an email
- Email is easier to falsify than handwritten or signed documents
- Backup copies of email may exist even after the sender or the recipient has deleted his or her copy

Specific Patient Email Risks

- Employees do not have an expectation of privacy in email that they send or receive at their place of employment. Thus, patients who send or receive email from their place of employment risk having their employer read their email

Conditions for the Use of Email

It is the policy of the BUSINESS to make all email messages sent or received that concern the diagnosis or treatment of a patient part of that patient's medical record and will treat such email messages with the same degree of confidentiality as afforded other portions of the medical record. The BUSINESS will use reasonable means to protect the security and confidentiality of email information. Because of the risks outlined above, the BUSINESS cannot, however, guarantee the security and confidentiality of email communication.

Patients must consent to the use of email for confidential medical information after having been informed of the above risks.

Consent to the use of email includes agreement with the following conditions:

- As a part of the medical record, other individuals, such as other physicians, nurses, physical therapists, patient accounts personnel, and the like, and other entities, such as other health care providers and insurers, will have access to email messages contained in medical records.
- The BUSINESS may forward email messages within the facility as necessary for reimbursement. The BUSINESS will not, however, forward the email outside the facility without the consent of the patient or as required by law.
- E-mail communication cannot be guaranteed to be entirely secure, private, or confidential. The BUSINESS will take reasonable steps to protect the confidentiality of patient email, but the BUSINESS is not liable for improper disclosure of confidential information not caused by the BUSINESS gross negligence or wanton misconduct.
- E-mail communication is not always read in a short time period after it is sent, so the telephone should be used for more 'urgent' communications
- Office staff may process patient email messages during usual business hours
- Turnaround time for messages received from the patient during business hours will typically occur within 1 business day, except when the provider is out of town or on vacation
- If the patient's email requires or invites a response, and the recipient does not respond within a reasonable time, the patient is responsible for following up to determine whether the intended recipient received the email and when the recipient will respond.
- E-mails may be printed
- Because employees do not have a right of privacy in their employer's email system, patients should not use their employer's email system to transmit or receive confidential medical information
- The BUSINESS is not liable for breaches of confidentiality caused by patient.
- Any further use of email by the patient that discusses diagnosis or treatment by the patient constitutes informed consent to the foregoing.
- The patient may withdraw consent to the use of email at any time by email or written communication to the BUSINESS
- Any liability of harm for any information loss due to technical failures is waived by the BUSINESS

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The BUSINESS agrees:

- To provide automatic reply to acknowledge receipt of my messages
- To send new messages to inform me of completion of my request
- Not to send group mailings where recipients are visible to each other. Blind copy features are used
- To have security systems in place, e.g., password-protected screen savers on all desktop workstations in every location that e-mail can be viewed
- To never put protected health information in the "from", "to", or "subject line" of an email message
- E-mails will not be forwarded to any third party without the patient's expressed permission
- The patient's e-mail account will never be used in any marketing schemes, nor shared with physician's family members
- That any patient identifiable information, social security numbers or birthdates are only sent via encryption if the communication is wireless
- The BUSINESS will endeavor to read patient email promptly and to respond promptly, if warranted

Patient Acknowledgement

I agree to comply with the following guidelines:

- ☑ I may use e-mail communication to:
 - Request prescription refills
 - Request appointments
 - Request test results
 - Request medical advice
 - Share medical information with the doctor
 - Discuss billing questions
- I will put the Category of transaction in the SUBJECT line of the message for filtering: ○ Prescription ○ Appointment ○ Test Results ○ Medical Advice ○ Medical Information ○ Billing Questions
- I will put my FULL NAME and DATE OF BIRTH in the body of the message (i.e, two forms of identification) ☑ I will use an AUTO-REPLY feature to acknowledge reading the doctor's message
- I will keep messages concise
- If the patient consents to the use of email, the patient is responsible for informing the BUSINESS of any types of information that the patient does not want to be sent by email other than those set out above
- I am responsible for protecting my password or other means of access to emails sent or received from the BUSINESS to protect confidentiality.
- When e-mail messages become too lengthy or the correspondence is prolonged, I may be called or notified by the BUSINESS to come in to discuss the matter
- I may be reminded by the BUSINESS when I do not adhere to the guidelines
- The e-mail relationship may be terminated by the BUSINESS if I repeatedly do not adhere to the guidelines

I have received and read a copy of the Notice of Privacy Practices

I will receive a copy of this e-mail informed consent and another is included in my medical record

I have read the above risk factors and conditions for the use of email, and I hereby consent to the use of email for disclosures and communications to and from the BUSINESS regarding my medical treatment.

Patient (Print Name):

Patient Signature:

Date:

Provider Signature:

Date: