

Who Let the Dogs Out? Ensuring Your Therapy Dog Handlers Keep HIPAA Protected Information on a Tight Leash

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The prevalence of volunteer therapy dog teams in medical settings has continued to rise in recent years, and so have the risks to the entities these teams visit. Particularly, with every therapy dog comes a handler, someone who is trained to bring the dog to hospital patients, in-home hospice patients, psychiatric facilities, dental offices, and even outpatient medical facilities. Besides the physical risks to patients from inadvertent movement by the dog, comes the risk to the patient that their protected health information may be exposed in violation of HIPAA.

While seeing cuddly Fido can instantly brighten a patient's day, therapy dog handlers must be acutely aware of the protections afforded by the Health Insurance Portability and Accountability Act (HIPAA). As a general rule, Protected Health Information (PHI) is protected by the HIPAA. PHI includes demographic data relating to an individual's physical or mental condition, medical care provided and *all* information identifying a patient.

Therapy teams interacting with patients are privy to a wealth of PHI and often have minimal training on HIPAA privacy rights, if any at all. For example, handlers may be in a hospital room while a patient is consulting with a physician, may overhear a nurse questioning a patient about that patient's physical condition, or may recognize a patient as a casual acquaintance while roaming the halls of an outpatient cancer treatment facility. Thus, it is incumbent upon the facility in which the therapy teams volunteer to ensure that therapy dog handlers are both aware of the privacy rights afforded by HIPAA and knowledgeable about their application.

Particularly, therapy dog handlers should be advised to use the minimum amount of information necessary to perform their duties. Handlers should be advised not to ask personal questions about a patient's medical condition, reasons for a hospital stay, or particularities of treatment. Handlers must be informed that the identities and names of patients or individuals they visit within a medical setting cannot be shared and must be held in confidence, i.e. a handler

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cannot disclose to others that a friend or casual acquaintance is hospitalized. Moreover, in the age of social media, this includes taking photographs or videos of patients and disseminating those images over social media.

The key to maintaining patient privacy and safeguarding the rights afforded by HIPAA is to keep therapy dog handlers informed. While the therapy dog organization may certify the dog and handler to work in a medical setting, it is incumbent upon the actual facility to ensure that their patients' rights are protected, either through training for the handler or at the very least, an informative handout detailing the handler's obligations in protecting patient privacy.

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