

Summary – Law Enforcement Requests for Patient Information

	Law Enforcement Request	NM Staff Response
1	Staff safety/security concerns	Staff may always request law enforcement's presence when concerned for their safety/security.
2	Requests for patient information, general rule	Ok to disclose patient information as permitted in this chart, by our policies (see policy IM12), or with written patient authorization (form CON MR 0074)
3	Patient condition	Ok to disclose one-word condition status without patient authorization: undetermined, good, fair, serious, or critical
4	Date of birth (DOB)	<p>Ok to disclose if:</p> <ul style="list-style-type: none"> • obtain patient permission, or • disclosure is permitted by our policies <p>Some examples include:</p> <ul style="list-style-type: none"> • mandatory child abuse reporting obligation • patient is crime victim and unable to authorize release of DOB and NM staff determines it's appropriate to disclose • law enforcement states information is needed to identify suspect, fugitive, material witness, or missing person

5	Blood or urine test specimen/results	<p>Do not provide test specimen or test results to law enforcement UNLESS:</p> <ul style="list-style-type: none"> • Patient provides written authorization for disclosure, or • provided court order, subpoena, or warrant • forward document to HIM for processing • contact Risk or Legal with urgent requests that can't wait for HIM <p>Note: may take specimen for forensic testing purposes only if:</p> <ul style="list-style-type: none"> • obtain written patient consent for testing; or • presented valid search warrant; or • law enforcement officer provides signed attestation that exigent circumstances exist (see "Alternative to Consent" section of "Consent to Blood Draw or Urine Specimen Collection for Law Enforcement Purposes – Law Enforcement Kit Version") <p>See policies ESD 06.005 (BMC) and PC 18 (TNMC).</p>
6	Notify law enforcement when patient is discharged	<p>Ok if provided court order that requires such notification or patient is in police custody. Otherwise, decline to provide this notification. See policy LD-12.</p>
7	<p>Forms</p> <ul style="list-style-type: none"> • Court order • Subpoena • Warrant 	<p>Ok to provide information specifically referenced in any of these documents. Forward document to HIM for processing. If urgent request that can't wait for HIM, Nebraska Medicine staff may contact Risk (consult Web On Call or hospital operator to reach on-call Risk staff) or Legal with any questions.</p>

8	Victims of Crime	<p>If patient is victim of crime and unable to authorize disclosure because incapacitated or there are other emergency circumstances, NM staff may disclose patient info to law enforcement if law enforcement:</p> <ul style="list-style-type: none"> • states information is needed to determine whether someone other than patient violated law, • confirms information is not intended to be used against victim, • states there is immediate law enforcement activity that depends on disclosure and it would be materially and adversely impacted by waiting until patient is able to agree to disclosure, and • NM staff determines disclosure is in the best interests of the patient.
9	<p>Identification of:</p> <ul style="list-style-type: none"> • suspect • fugitive • material witness • missing person 	<p>Ok to disclose only the following information if requested by law enforcement to identify suspect, fugitive, material witness, or missing person:</p> <ul style="list-style-type: none"> • name and address • date and place of birth • SSN • ABO blood type and rh factor • type of injury • date and time of treatment • date and time of death, if applicable • a description of distinguishing physical characteristics, including: height, weight, gender, race, hair and eye color, presence or absence of facial hair (beard or moustache), scars and tattoos
10	<p>Interviews Patient is in police custody</p>	<p>Ok for law enforcement officer to be present/ask patient questions UNLESS presence would impede staff's ability to provide patient care or compromise sterilization/infection control procedures</p>
11	<p>Interviews Patient is not in police custody</p>	<p>Ok for law enforcement officer to be present/ask patient questions IF patient agrees and presence would not impede staff's ability to provide patient care or compromise sterilization/infection control</p>
12	<p>Visitation restrictions Patient is in police custody</p>	<p>Ok to restrict visitor access per law enforcement officer's direction.</p>

13	Visitation restrictions Patient is not in police custody	<p>Ok to grant law enforcement officer's request to speak with patient before visitors are allowed to visit patient in two situations:</p> <ol style="list-style-type: none"> 1. patient agrees to request and honoring request does not impede patient care or compromise sterilization/infection control 2. law enforcement officer states request is necessary to avoid serious threat to patient's health or safety (e.g., to confirm family/visitor did not cause patient's injuries) and honoring request does not impede patient care or compromise sterilization/infection control <p>If meet either exception, visitor restrictions should be limited to shortest time possible (e.g., unless a danger to child, a parent should be able to see child before child undergoes emergency surgery). If don't meet either exception, follow regular NM visitor policy.</p>
14	Wounds of Violence (excluding sexual assault)	<p>If NM staff suspect patient injury caused by crime (excluding sexual assault), must report to law enforcement: victim's name, description of victim's physical injury, and, if ascertainable, victim's residential address and location of offense. See policy PE 03.</p>
15	Sexual assault	<p>If patient was 18+ years at time of sexual assault and provides written consent or patient is suffering from serious bodily injury or any bodily injury caused by deadly weapon, which appears to have been received in connection with or as a result of sexual assault, must report following to law enforcement: victim's name, description of victim's physical injury, and, if ascertainable, victim's residential address and location of the offense.</p>

16	Child Abuse or Neglect	For suspected child abuse or neglect, see the following policies for related reporting obligations and permitted disclosures: <ul style="list-style-type: none">• PE 03 (Reporting of Abuse, Neglect or Injury)• SH21 (Infant Drug Testing Guidelines for Providers)• AD48 (Drug Testing Guidelines for Providers: Pregnant and Postpartum Patients)
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