

Confidentiality: Disclosure Of Roommate's Name Does Not Violate HIPAA.

The family of a deceased patient filed a lawsuit for negligence against the hospital where she died.

She came to the emergency room with severe abdominal pain. The lawsuit alleged that the emergency department nurse took vital signs but failed to report significant drops in her blood pressure to the physician. A radiologist, it was alleged, got a CT scan, but likewise failed to report the results.

The issue at this stage in the litigation is whether the hospital can and must divulge the names of the two patients in the adjoining beds in the E.R. holding area on the night in question.

The US Health Insurance Portability and Accountability Act (HIPAA) provides Federal standards for protection of patients' confidential medical information.

The Act does not prevent disclosure of a patient's name per se, as long as no individually identifiable health information is disclosed in the process.

NEW YORK SUPREME COURT
RENSSELAER COUNTY
February 3, 2006

The New York Supreme Court, Rensselaer County, ruled that the names of such potential witnesses are relevant points of information for the family's lawsuit. As long as no information about other patients' health status and treatment are revealed, their names can be divulged. **Foley v. Samaritan Hosp.**, 2006 WL 431368 (N.Y. Supp., February 3, 2006).