

Report on Patient Privacy Volume 20, Number 9. September 10, 2020 Health Plans, Labs May Suggest COVID-19 Survivors Donate Plasma

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As the summer wound down but the COVID-19 pandemic did not, the HHS Office for Civil Rights (OCR) clarified guidance it hopes will aid patients who now have few approved treatment options.^[1] On June 12, OCR issued “Guidance on HIPAA and Contacting Former COVID-19 Patients about Blood and Plasma Donation.”^[2]

Guidance on this use of protected health information (PHI) was issued with the recognition that “misconceptions about HIPAA” may “get in the way of a promising COVID-19 response,” the agency said.^[3]

The new FAQ states that a “covered health care provider (e.g., a hospital, pharmacy, or laboratory) or health plan may use PHI to identify individuals who have recovered from COVID-19 to provide them with information about how they can donate their plasma containing antibodies to SARS-CoV-2 (the virus that causes COVID-19) for use in potentially treating patients with COVID-19.”^[4]

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