

Patient Email Consent Form

Patient Name: _____

Patient DOB: _____

Today's Date: _____

Parents often wish us to email vaccine records to their daycare center or camp. Other times parents wish to send in photographs of a rash or school forms via email. Email communication is convenient and efficient, but carries some risk. Southwest Pediatrics offers our patients the ability to send/receive Personal Health Information (PHI) via email, but want to make sure you understand the potential risks. Our first goal is to keep medical information safe and private, but we cannot guarantee the security and confidentiality of an E-mail transmission. If you understand and accept these risks, we are happy to communicate with you via email.

Keep in mind the following:

- A. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) recommends that Email that contains PHI (protected health information) be encrypted. Emails sent to or from any staff member of Southwest Pediatrics may not be always encrypted, so Emails may not be secure. Therefore it is possible that the confidentiality of such communications may be breached by a third party.
- B. Email can be circulated, forwarded, and stored in numerous paper and electronic files
- C. Email senders can easily misaddress an Email
- D. Email is easier to falsify than handwritten or signed documents
- E. Backup copies of Email may exist even after sender or recipients have deleted their copy
- F. Emails can be intercepted, altered, forwarded, or used without authorization or detection
- G. Email can be used as evidence in court
- H. Employers and on-line services have a right to inspect Email transmitted through their systems

Conditions for the Use of Email

Southwest Pediatrics will use reasonable means to protect the security and confidentiality of Email information sent and received. However, because of the risks outlined above, Southwest Pediatrics cannot guarantee the security and confidentiality of Email communication, and will not be liable for improper disclosure of confidential information that is not caused by intentional misconduct by Southwest Pediatrics. Thus, individuals must consent to the use of Email for information. Consent to the use of Email includes agreement with the following conditions:

- A. **Southwest Pediatrics preferred method of communication will always be the AthenaHealth Patient Portal. Information exchanged is protected and will automatically be part of the patient medical record.**
- B. All Emails to or from Southwest Pediatrics patients concerning medical questions or treatment will be made part of the patient's medical record. Because they are part of the medical record, other individuals authorized to access the medical record, such as staff and billing personnel, will have access to those Emails.
- C. Southwest Pediatrics may forward Emails internally to the practice's staff and agents as necessary for diagnosis, treatment, reimbursement, and other handling. Southwest Pediatrics will not, however, forward Emails to independent third parties without the patient's prior written consent, except as authorized or required by law.
- D. Although Southwest Pediatrics will endeavor to read and respond promptly to an Email, Southwest Pediatrics cannot guarantee that any particular Email will be read and responded to within any particular period of time. Thus, no one shall use Email for medical emergencies or other time-sensitive matters.
- E. If the individual's Email requires or invites a response from Southwest Pediatrics, and the individual has not received a response within a reasonable time period, it is the individual's responsibility to follow up to determine whether the intended recipient received the Email and when the recipient will respond.
- F. Individuals should not use Email for communication regarding sensitive medical information such as information regarding sexually transmitted diseases, AIDS/HIV, mental health, developmental disability, or substance abuse.

- G. Individuals are responsible for informing Southwest Pediatrics of any particular information that they desire not to be sent by Email, in addition to those outlined in section F above.
- H. The individual is responsible for protecting his/her password or other means of access to Email. Southwest Pediatrics is not liable for breaches of confidentiality caused by the individual or any third party.
- I. Southwest Pediatrics shall not engage in Email communication that is unlawful, such as unlawfully practicing medicine across state lines.
- J. It is the individual's responsibility to follow up and/or schedule an appointment if warranted by calling 512-288-9669.

Communicating by Email

To communicate by Email, patients and other individuals shall:

- A. Limit or avoid the use of his/her employer's computer.
- B. Inform Southwest Pediatrics of changes in his/her Email address.
- C. Put the patient's name in the body of the Email, If the sender is a patient of Southwest Pediatrics.
- D. Review the Email to make sure that it is clear and that all relevant information is provided before sending to Southwest Pediatrics.
- E. Take precautions to preserve the confidentiality of Email, such as using screen savers and safeguarding his/her computer password.
- F. Withdraw consent by sending written communication to Southwest Pediatrics

Patient Acknowledgment and Agreement

I acknowledge that I have read and fully understand this consent form. The consent will remain active unless written communication is provided to Southwest Pediatrics to terminate the agreement. I understand the risks associated with the communication of E-mail between the Practice, Physician and me, and consent to the conditions and instructions outlined, as well as any other instructions that the Practice may impose to communicate with patients by Email. If I have any questions, I may inquire with the Practice Privacy Officer.

I, for myself, my heirs, executors, administrators and assigns, fully and forever release and discharge **Southwest Pediatrics** and its affiliates, shareholders, officers, directors, physicians, agents and employees, from and against any and all losses, claims, and liabilities arising out of or connected with the use of such E-mail.

Parent/Guardian Name (print) _____

Date: _____

Parent/Guardian Signature _____