

Chapter 125: HEALTH CARE INFORMATION THAT DIRECTLY IDENTIFIES AN INDIVIDUAL

SUMMARY: This chapter defines health care information that directly identifies an individual.

1. **Applicability.** This rule is applicable to all activities and processes described under 22 M.R.S.A. §1711-C, Confidentiality of health care information.

2. **Definitions**
 - A. **Address.** “Address” includes street addresses, post office box numbers, apartment numbers, E-911 addresses, E-mail addresses, web universal resource locator (URL) and Internet protocol (IP) address number.
 - B. **Bank Account.** “Bank account” means any checking, savings, certificate of deposit, or any account utilized for the payment of third parties.
 - C. **Direct Identifier.** “Direct identifier” means any information that discloses the identity of an individual. A case or code number used to create anonymous or encrypted medical data for research purposes is not a direct identifier.
 - D. **Family.** “Family” means spouse, children, parents, siblings, and legal guardian.
 - E. **Insured.** “Insured” means an individual in whose name an insurance policy is carried.
 - F. **Operator.** “Operator” means an individual who uses a vehicle.
 - G. **Vehicle.** “Vehicle” means a piece of mechanized equipment for transporting passengers or goods including, but not limited to: automobiles, trucks, motorcycles, all-terrain-vehicles, snowmobiles, aircraft, and water craft.

3. **Identifying Information**

Data elements determined to be direct identifiers of individuals include the following:

 - A. Patient’s Name;
 - B. Names of Patient’s Family Members;
 - C. Insured’s Name;
 - D. Patient’s or Insured’s Address;

- E. Patient's or Insured's Telephone or FAX Numbers. Includes both home and work numbers;
 - F. Patient Control Number. A unique alphanumeric number assigned by a health care provider to facilitate retrieval of individual financial records and posting of payment;
 - G. Medical Record Number. A number assigned to the patient's medical/health record by the provider;
 - H. Patient's Account Number. A unique number used by a health care provider or supplier to identify an individual's case records and for posting payment;
 - I. Patient's or Insured's Social Security Number;
 - J. Insured's Unique Health Insurance Identification Number;
 - K. Insured's Unique Health Insurance Certificate Number;
 - L. Patient's Medicare/Medicaid Health Insurance Identification Number;
 - M. Patient's Federal Employees Compensation Act Number;
 - N. Patient's or Insured's Credit Card Number;
 - O. Patient's or Insured's Bank Account Number;
 - P. Patient's or Insured's Operator's License Number;
 - Q. Patient's or Insured's Vehicle Registration Number;
 - R. Patient's or Insured's Vehicle License Plate Number;
 - S. Patient's or Insured's Vehicle Identification Number;
 - T. Patient's or Insured's Finger or Voice Prints;
 - U. Patient's or Insured's Photographic Images;
 - V. Patient's Pilot Medical Certificate Number;
 - W. Patient's Maine Department of Corrections Inmate Identification Number;
 - X. Patient's or Insured's Medical Device Identifiers and Serial Numbers; and
 - Y. Any other unique number, characteristic, code or information that is a direct identifier.
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STATUTORY AUTHORITY: 22 M.R.S.A. Section 1711-C, subsection 1-E.

EFFECTIVE DATE:

January 1, 1999 (*EMERGENCY, a Major Substantive Rule, legislative review pending*)
February 5, 2000

NON-SUBSTANTIVE CORRECTION:

March 13, 2000 - removed an underline

AMENDED:

March 31, 2003 - Section 3.Y and 3.Z, filing 2003-80
February 17, 2009 – filing 2009-66