



## Protecting your personal information

SAIF's policy is to protect the privacy of injured workers and employer account records, and to maintain the confidentiality of all claim file information and other personal and confidential information from public disclosure, unless the law requires or allows disclosure.

That policy is based on four concepts:

- SAIF employees need private information to do their jobs.
- Much of that information is extremely personal and protected by law from dissemination.
- Access to information is restricted to the information the employee needs to do her or his job.
- All employees share in the responsibility to protect confidential information.

## HIPAA

The requirements of the Health Insurance Portability and Accountability Act (HIPAA) do not apply to information provided within the workers' compensation system. 45 CFR §184.512(I). However, other laws do apply to protect the confidentiality of claims information.

## Injured worker information

Oregon law requires insurers to maintain the confidentiality of a worker's medical and vocational records. Those records can be disclosed only to the worker.

There are five very limited exceptions to that rule where a worker's medical and medical records can be released, but only for a worker's compensation purpose:

- Disclosure made with worker or the worker's beneficiary consent
- Disclosure reasonably necessary for the insurer or its assigned claims agent to manage, defend, or adjust claims, suits, or actions, or to perform any other function required by or arising out of ORS chapter 654, 655, 656, or the insurance contract
- Disclosure to detect or prevent criminal activity, fraud, material misrepresentation,

or nondisclosure

- Disclosure pursuant to a written agreement that requires the receiving party to maintain the confidentiality of the records
- Disclosure otherwise required or permitted by law

SAIF instructs its staff to manage claims in accordance with the law.

In addition, SAIF has determined that a worker's medical and vocational records will not be released to an employer, unless:

- The records are requested for a worker's compensation purpose,
- The employer has signed a confidentiality agreement, and
- The worker has signed a specific release allowing the employer to have copies of the worker's medical and vocational records.