



## FAQs about HIPAA and Sympathy Cards or Funeral Attendance

### **May I send a sympathy card to the family of a patient who has passed away?**

Yes. This can help bring closure for both the patient's family and a provider. However, HIPAA continues to apply after a patient's death and we must respect patient privacy even when expressing condolences. Letter and cards may be sent to:

- A person who was involved in the patient's care. This means they are documented as being a power of attorney, surrogate decision maker, care giver, or someone that the patient wanted involved in treatment. Please note: an emergency contact is not necessarily someone involved in the patient's care.
- The executor of the patient's estate.

### **Where can I get a mailing address?**

- If the friend or family member is documented as living with the patient, then the patient's address may be appropriate.
- A power of attorney, other documents in the legal folder, or care conference notes may also have mailing addresses for friends or family members.
- Sometimes a funeral home or obituary will provide contact information.
- If you are not sure of a mailing address, then it may be best not to send a letter, in order to avoid the card being sent to an incorrect recipient.

**What information can be put in a sympathy card?** You can provide condolences and kind words, but not PHI:

- Acceptable example: "I enjoyed having the opportunity to meet Harry and he will be greatly missed."
- Unacceptable example: "Harry was so brave in his fight with cancer and I always enjoyed seeing him at the Infusion clinic."

### **I would like to attend the funeral of a patient. Is that okay?**

Yes, if an employee would like to attend a funeral to pay their respects to a patient, then they may do so on their own behalf. HIPAA still applies after a death, so it is important to avoid sharing health information at the service.