



## 2.7.4 TEXTING

### POLICY:

Many medical practices utilize text services for scheduling appointments, sending appointment reminders, sending client satisfaction surveys, offering promotions or health tips, sending reminders for preventative care, and more.

The HIPAA/HITECH privacy and security rules cover any communications with ePHI, including email, social media, and text messaging. Violations can earn you fines of up to \$50,000.

Health text messages without PHI, however, are permitted under HIPAA texting guidelines, even if they mention a patient's name.

Under the HIPAA Security Rule, physicians and other entities covered by HIPAA must conduct a risk assessment to determine how the privacy and security of protected health information (PHI) could be compromised when communicated electronically.

### PROCEDURE:

Subrecipients should develop clear guidelines for texting to eliminate confusion and potential liability when it comes to messaging clients.

Appointment reminders are considered part of treatment and can be made without an additional HIPAA authorization. However, clients should be offered the opportunity to opt-in or opt-out of text appointment reminders—and family planning providers may wish to obtain consent.

To ensure compliance with HIPAA and prevent unauthorized access to—or disclosure of—PHI, the information in text messages should be limited to the following:

- Appointment date
- Appointment time
- Provider's name
- Appointment location
- Options and steps for canceling or rescheduling

Most messaging apps on mobile devices have no log-in or log-off requirements – so they do not comply with the technical safeguards for HIPAA texting – and, if a mobile device is lost or stolen, there is a significant risk that messages containing PHI could be released into the public domain.

- Communication via personal phone using any social media app is discouraged due to privacy issues.
- If a client generates a message to a staff member's personal social media account that includes PHI: Do not respond to the original text; instead, send a new message that asks the client to contact the agency.



**RESOURCES:**

[RHNTC Search | Reproductive Health National Training Center \(rhntc.org\)](#)

[Using Digital Technology to Improve Appointment Scheduling \(rhntc.org\)](#)

[Is Texting in Violation of HIPAA? \(hipaajournal.com\)](#)

[A Brief Guide to HIPAA-Compliant Texting \(softwareadvice.com\)](#)

[When patients want to text: HIPAA, OMG! See you L8R, privacy? | American Medical Association \(ama-assn.org\)](#)

[What are the HIPAA Rules Regarding Text Messaging? - HIPAA Guide](#)