HIPAA Marketing Requirements for Audiologists

Are you using Protected Health Information (PHI)?

- **NO**
  - No authorization needed.

Are you making a communication about a product or service that encourages recipients of the communication to purchase or use the product or service?

- **NO**
  - Not marketing—no authorization needed.

Are you receiving remuneration for the communication? or Are you providing PHI to a business associate or other entity so they can market their products to your patients?

- **NO**
  - Not marketing—no authorization needed.

Are you making the communication for treatment, including case management or care coordination, or to direct or recommend alternative treatments, therapies, health-care providers, or settings of care to the patient?

- **YES**

Are you making the communication to describe a health-related product or service (or payment for such product or service) that is provided by you?

- **NO**

Are you making the communication for case management or care coordination, contacting of individual with information about treatment alternatives, and related functions to the extent these activities do not fall within the definition of treatment?

- **YES**

Are you making this communication face to face with the patient?

- **NO**

Is the communication of nominal value?

- **NO**
  - Marketing authorization required.

- **YES**
  - No authorization needed.

Authorization is needed for this marketing. Authorization should include reference to your receipt of remuneration.

Not marketing—no authorization needed.

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