



MARKETING AUTHORIZATION FORM

Patient Name: _____ **Date:** _____

1. Authorizing marketing communication from this practice means I may:

- A. Receive treatment communications concerning treatment alternatives or other health related products or services
- B. Be contacted for information about treatment alternatives or other health-related benefits and services that may interest me.

***I understand that I have the right to “opt out” of receiving such communications.**

***I understand that this practice may receive financial remuneration for communications.**

Other communications for such purposes that do not involve financial remuneration are adequately captured in this practice’s notice of privacy practices (NPP).

By signing below, I am agreeing to receiving Marketing Communications from this Practice, and this Practice’s Business Associates.

Patient Signature: _____

Communication that encourages you to use our services is considered marketing. If we intend to use, or sell PHI for personal gain or commercial advantage, we must **first obtain written authorization**. Authorization is required for all treatment and health care operations communications where the covered entity receives financial remuneration for making the communications from a third party whose product or service is being marketed. Such a policy will ensure that all such communications are treated as marketing communications, instead of requiring covered entities to have two processes in place based on whether the communication provided to individuals is for a treatment or a health care operations purpose. **We MAY receive financial remuneration from a third party due to marketing.**

HIPAA states the term “financial remuneration” does not include non-financial benefits, such as in-kind benefits, provided to a covered entity in exchange for making a communication about a product or service. Rather, financial remuneration includes only payments made in exchange for making such communications.

In addition, HIPAA emphasizes that the financial remuneration a covered entity receives from a third party must be for the purpose of making a communication and such communication must encourage individuals to purchase or use the third party’s product or service. If the financial remuneration received by the covered entity is for any purpose other than for making the communication, then this marketing provision does not apply.