

WIC 5328 vs. HIPAA

- Generally, WIC 5328 is more restrictive than HIPAA
- Examples of where WIC 5328 and HIPAA differ

PURPOSE	HIPAA	WIC 5328
Coroner	Can disclose if coroner investigating a death.	Cannot disclose without coroners subpoena.
Subpoena	Allows records to be released if notice given to patient.	No release without patient authorization or court order to release directly to the Court.
Patient Authorization	Allows disclosures with patient authorization.	Allows disclosure but clinician responsible for patient care must authorize release.
Treatment	Allows disclosures for treatment purposes.	Allows disclosures only to a professional person who has medical or psychological responsibility for the patient.