

CAN URGENT CARE PATIENTS BE TREATED ANONYMOUSLY?

Urgent message: Due to the perceived “acute nature” of the urgent care setting, many patients falsely believe that they can be treated anonymously. On the contrary, legal implications, insurance practices, and the integration of technology with medical records mean that delivering anonymous care is nearly impossible.

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Healthcare is intensely personal, and patients seek care with different motivations. For example, some patients may perceive urgent care as less intimidating and less embarrassing for evaluating symptoms associated with sexually transmitted infections (STIs) than the health department or Planned Parenthood. Other patients just may not want to deal with their primary care physician (PCP) for an episodic issue.

Regardless of the patient’s motivation, urgent care is available and ready to help with unbiased, nonjudgmental care—but typically they can’t do so anonymously.

There are a few situations in which practitioners can provide care without knowing details about the patient’s identity or creating a medical record. However, these situations most often occur outside of the clinic, such as during a natural disaster or on-the-scene treatment at an accident. But these situations would most likely not occur within the course of regular operations in the urgent care center.

Legal Implications

When a patient and healthcare provider have an encounter in the urgent care center, a mountain of legal ramifications piles up at the same time. This primarily revolves around the fact the patient must give legal consent to medical treatment. Touching a patient without their consent can be considered “battery” or worse. Without identifying himself, the patient isn’t able to sign an informed consent document.

Ensuring that legal release before treatment gets documented is crucial in the event that a patient brings forth an allegation of malpractice against the provider. In such a case, there needs

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to be concrete evidence showing who both parties are. An individual only has standing in malpractice if they are the actual patient, and a provider can only defend herself with documentation showing the course of treatment was medically appropriate. By treating a patient anonymously, the urgent care clinic is unable to obtain this necessary precaution.

Meanwhile, as technology continues to become further integrated with medical record-keeping, a patient's health record doesn't always stay within the confines of an urgent care center like it did in days past. Today, a patient's information resides in an "integrated system" made available to assure quality guidelines are being followed, including access by other healthcare providers when it is needed for treatment. This increases the importance of establishing a sound patient identity. By preventing omissions and/or keeping false or "contaminated" information out of the patient's medical record, their care in the future will be better.

STD/STI Testing

One of the most common situations that patients want to receive anonymous care for is when they need to undergo STI testing. Many people feel embarrassed when they think they are suffering from a sexually transmitted infection. While that stigma must be addressed by healthcare as a whole, many patients seek out urgent care because they feel that it is the most "anonymous" option.

However, the federal government (and many local governments) have laws that require healthcare providers to report certain conditions. Most of these regulations focus on diseases that are highly communicable. Of course, STIs fall directly into this category. Other conditions like HIV also require the provider to notify the client's partners so they can receive testing and treatment. As such, practitioners can't provide anonymous care in the event that they need to report one of the mandated conditions. (A comprehensive list of state reporting laws maintained by the Centers for Disease Control can be found at: <https://www.cdc.gov/std/program/final-std-statutesall-states-5june-2014.pdf>.)

Prescriptions

In many cases, a visit to urgent care will end in the provider prescribing medication to treat the patient's condition. Since patients will then go home to recover, this form of treatment is often one of the only choices. Unfortunately for patients seeking anonymous care, prescriptions can only be written for someone after confirming their identity.

In order for a physician to transmit a prescription order to the pharmacy, they must include the patient's name. Meanwhile, the patient will also need to present a valid ID card when they go to pick their medication up.

Since most urgent care visits ultimately end in a prescription, anonymous care would severely limit the treatment options a patient has available to them.

Proper Identification Methods

Much like they can't deliver treatment anonymously, urgent care providers must also ensure that they obtain proper patient identification. Patients presenting without an ID card make for a far more complicated process—one that can lead to messy legal situations, as well.

Here's a real-world example: A 53-year-old woman tried to pose as her 35-year-old daughter to receive treatment at urgent care for a nonemergent condition. She claimed that the DMV confiscated her out-of-state driver's license and she had no other way to prove her identity. Meaning no passport, no paystub, no social security card, etc.

Though it isn't clear why she tried to hide her identity, providers at the clinic turned her away because they couldn't positively identify her. Had they treated her anyway, the daughter's medical record and insurance claims could have been marred with conditions and treatments that

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she did not have. Even if the mother had paid cash, after using her daughter's identity she could have submitted a claim to her daughter's insurance.

Insurance Considerations

Insurance is another big reason why patients cannot be treated anonymously. When a patient visits urgent care and wants to use insurance benefits to pay, it is obviously important to make sure that the correct account is charged. False insurance claims can exhaust lifetime medical benefits, result in future denials or complications based on "pre-existing conditions," or compromise future quality of care if incorrect medical information is stored on the patient.

An example of the presence of "pre-existing conditions" hurting the patient may be liability in a legal action. Presume the mother mentioned above came in for "low back pain" using her daughter's identity. If her daughter was later in a car accident resulting in chronic back pain, defense lawyers would certainly have a plausible way to deny responsibility on behalf of their client.

Obtaining patient identification is also crucial in helping prevent Medicare/Medicaid and other health insurance fraud. With that being said, not all clients will want to pay for their care with insurance. Some will walk in and want to pay in cash.

At most urgent care centers, this is a completely acceptable alternative. However, it still doesn't mean that patients can be treated anonymously. The receipt issued could still be submitted by the patient for reimbursement, which is a common practice when the patient's insurance is "out-of-network." Some patients might be angry that they still need to identify themselves even if they want to pay with cash. Unfortunately, while paying in cash can be a privacy alternative to some degree, patients still cannot be treated anonymously due to the other reasons discussed previously.

Special Circumstances

Although the vast majority of patients cannot be treated anonymously, there are a few exceptions. As noted, physicians are not only allowed but are obligated to help in the event of an emergency (for example, if they witness a vehicle crash and pull over to provide first aid). In this case, obtaining identification isn't necessary due to the urgent and nontraditional nature of the encounter. The same is true for providers helping in emergencies like an earthquake, hurricane, or flood. Meanwhile, some physicians also take part in special programs that provide treatment to the homeless population. This is done free of charge and may result in anonymous treatment.

Conclusion

While not all patients agree with the practice, declining to treat patients without identifying them is better for everyone in the long run. Doing so not only prevents insurance fraud, but also keeps electronic medical records more accurate, ultimately leading to better care in the future. In the urgent care setting, treating patients anonymously is a definite "no."

SIGN UP

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