

**Massachusetts Authorization for the Use and Disclosure of Protected Health Information**

Name:	Date of Birth:	SSN:	Date of Request:
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I authorize \_\_\_\_\_ [insert health care provider or entity] \_\_\_\_\_ to release my Protected Health Information (“PHI”), as specified below, to \_\_\_\_\_ [insert settlement provider] \_\_\_\_\_ (the “Provider”), Attention: [insert name and title of representative] \_\_\_\_\_.

**Specific information to be released:**

- Entire Medical Record including, but not limited to, patient histories, office notes, progress reports, physical exams, laboratory results, radiology and other diagnostic reports and images, operative reports, hospital records, referrals and consults, insurance records, records sent by other health care providers, and the specific medical records initialed below.

**I specifically authorize the release of my medical records to include the following records: (Initial)**

- |  |  |
|--|--|
| _____ Alcohol/Drug Abuse Information           | _____ Genetic testing and/or DNA analysis                        |
| _____ Prescription Drug Information            | _____ HIV/AIDS test results and treatment                        |
| _____ Sexually Transmitted Disease Information | _____ Mental Health Information (other than psychotherapy notes) |

**The information will be obtained, used or disclosed for the following purposes:** To facilitate the settlement transaction as requested by the Insured/Viator/Patient or Authorized Representative and other related settlement business operations.

**I understand and agree to the following:**

- The signing of this authorization is voluntary. My treatment, payment or eligibility for benefits will not be conditioned upon my authorization of this disclosure. I may refuse to disclose all or some health care information, but such refusal may result in a denial of my application to enter into a settlement transaction regarding my life insurance policy(s).
- Once disclosed to the Provider, my PHI may be subject to redisclosure and may no longer be protected by HIPAA. My PHI may be further disclosed to the insurance company that issued my life insurance policy and to potential and subsequent purchasers, financing entities, and other independent third parties for purposes of facilitating my requested settlement transaction, resale of my life settlement and other related settlement business operations (collectively, “Authorized Recipients”). **I understand that I will receive notice by first class mail each time my PHI is further disclosed. By signing below, I authorize the disclosure of my PHI to the Authorized Recipients for the purposes specified in this authorization form.**<sup>1</sup>
- The information authorized for release may include alcohol or drug abuse treatment records protected by Federal confidentiality rules (42 CFR Part 2). The Federal rules prohibit anyone receiving this information from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains. **By initialing above and signing below, I specifically authorize the disclosure of alcohol and drug abuse treatment records to the Authorized Recipients for the purposes specified in this authorization form.**
- State law requires specific authorization for the disclosure of HIV- and AIDS-related information and genetic information. **By initialing above and signing below, I specifically authorize the disclosure of my HIV- and AIDS-related information and genetic information for the purposes specified in this authorization form.**
- This authorization may be revoked at any time by notifying the Provider of my revocation in writing. However, my revocation will not apply to information already retained, used or disclosed prior to receiving the written revocation notice. Unless revoked, this authorization will remain in effect for any subsequent transaction involving the policy or upon my death.
- I am entitled to receive a copy of the authorization form.

<sup>1</sup> Under the terms of this consent form, your PHI may be redisclosed to Authorized Recipients as long as the Provider or any disclosing Authorized Recipient notifies you of each disclosure via first class mail. The Massachusetts Viatical Settlements Act requires that you be notified that you have the option to execute a release for PHI that requires your express written consent each time the Provider or any Authorized Recipient wishes to redisclose your information. If you wish to exercise your option, please contact your Broker.

Signature of Insured/VIator/Patient, or Authorized Representative:

\_\_\_\_\_ Date: \_\_\_\_\_

If signed by someone other than the Insured/VIator/Patient, state your authority to act for the individual:

\_\_\_\_\_

**USAGE NOTES:**

1. This Authorization for the Use and Disclosure of Protected Health Information has not been approved for use in any jurisdiction. Please check with your state's insurance department before using this form.
2. ILMA makes no representation or warranty regarding this form or its compliance with laws. Accordingly, you should consult your counsel before using this Authorization for the Use and Disclosure of Protected Health Information in order to ensure that it complies with applicable law and regulations.
3. Please note that additional or different PHI forms may be needed in the event that the Insured resides in a different state. Any additional forms required should be attached hereto as Annex A.

## ANNEX A

### ADDITIONAL DISCLOSURES

**[Drafting Note: This Annex will contain additional Protected Health Information forms or provisions, required by the state in which the Insured resides. In some cases, a form tailored to the specific requirements of the state where the Insured resides will be substituted for the form to which this Annex A is attached. ]**