



"Individually identifiable health information" is information, including demographic data, that relates to:

- the individual's past, present or future physical or mental health or condition,
- the provision of health care to the individual, or
- the past, present, or future payment for the provision of health care to the individual,

and that identifies the individual or for which there is a reasonable basis to believe it can be used to identify the individual.<sup>13</sup> Individually identifiable health information includes many common identifiers (e.g., name, address, birth date, Social Security Number).

The Privacy Rule excludes from protected health information employment records that a covered entity maintains in its capacity as an employer and education and certain other records subject to, or defined in, the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.

**De-Identified Health Information.** There are no restrictions on the use or disclosure of de-identified health information.<sup>14</sup> De-identified health information neither identifies nor provides a reasonable basis to identify an individual. There are two ways to de-identify information; either: (1) a formal determination by a qualified statistician; or (2) the removal of specified identifiers of the individual and of the individual's relatives, household members, and employers is required, and is adequate only if the covered entity has no actual knowledge that the remaining information could be used to identify the individual.<sup>15</sup>

I agree that I will not disclose any of the above-mentioned trade secrets, PHI or and other confidentially information made known whether directly or indirectly, or use them in any way, either during the term of my employment with the Company or after leaving the Company.

I further understand that I am an at-will employee of this Company and that this agreement is not to be construed as constituting a promise of continued employment.

Name of Employee \_\_\_\_\_

Signature of  
Employee\_\_\_\_\_

Date: