

	FERPA	HIPAA
<i>Applies to who:</i>	Education agency or institution that receives federal funds (i.e., University of Delaware)	Health care providers who engage in standard electronic transactions (e.g., billing for services), health plans, and health care clearinghouses (collectively, "HIPAA Covered Entities")
<i>Purpose of:</i>	Protect the privacy and security of educational records and the personally identifiable information in them pertaining to students and their families	Protect the privacy and security of medical records and the protected health information in them pertaining to patients
<i>Applies to what:</i>	Educational records, which are records that are (i) directly related to a student, and (ii) maintained by an educational agency or institution ...	Protected health information which is individually identifiable health information that HIPAA Covered Entities use, disclose or maintain about the underlying patients
<i>Pertinent Exception:</i>	Records of a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are (i) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; (ii) Made, maintained, or used only in connection with treatment of the student; and (iii) Disclosed only to individuals providing the treatment.	Protected health information excludes individually identifiable health information held in education records covered by FERPA
<i>Disclosures permitted without consent to:</i>		For treatment, payment, and health care operations
<i>Constraints:</i>	For medical records, limited to the amount of information necessary	Except for treatment purposes, limited to the minimum amount necessary to achieve a permitted purpose