

THE RISKS OF TRANSMITTING PATIENT INFORMATION OVER WHATSAPP

COMPLIANCE AND PRIVACY SERVICES

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In today's fast-paced healthcare environment, quick and efficient communication is essential. Messaging apps like WhatsApp make it easy to connect with colleagues, share updates, and coordinate tasks. What is the risk of using WhatsApp? And is there a safer alternative?

WHAT IS WHATSAPP?

WhatsApp, owned by Facebook/Meta, is a widely used messaging application that combines text, voice, and video communications in one platform. Users love its convenient interface and features like group chats and media sharing. One subset of users who favor WhatsApp is healthcare professionals. Healthcare professionals report that they use WhatsApp for sharing information with colleagues, managing meeting agendas, and communicating with colleagues about clinical situations.

IS WHATSAPP HIPAA COMPLIANT?

The short answer is no. WhatsApp does not meet the requirements of the HIPAA Privacy and Security Rules, which protect patient information by setting strict standards for how it is stored, shared, and accessed. This app must not be used at UC Davis Health to transmit confidential information such as patient data.

The HIPAA Privacy and Security Rules require covered entities like UC Davis Health to implement safeguards when transmitting electronic patient information over an application like WhatsApp. The Privacy Rule specifically allows covered healthcare providers to communicate electronically provided that reasonable

safeguards are implemented. (see 45 CFR 164.530(c)). The Security Rule also requires covered entities to "[i]mplement technical security measures to guard against unauthorized access to [e-PHI] that is being transmitted over an electronic communications network." (see 45 CFR 164.312(e)(1)).

HOW DOES OUR IT TEAM EVALUATE MESSAGING APPS?

The UCDH IT Department determines whether an application meets the technical security requirements of the Security Rule through the use of the technology evaluation process. IT performs

WhatsApp is not a UCDH approved messaging solution for work purposes.

the evaluation to ensure that third-party apps and/or services, like messaging solution WhatsApp, incorporate measures to establish a secure communication platform. As of the date of this guidance document, WhatsApp is not approved for use as a messaging solution at UCDH for work purposes. Confidential information, including patient information, should not be transmitted over the application or its network.

ARE THERE ANY ACCEPTABLE USES OF WHATSAPP?

Use of WhatsApp for sharing de-identified clinical information with colleagues or for use in administrative tasks may be acceptable subject to management approval and consideration of applicable risks. A note about de-identification of patient information: the risk we see in Compliance and Privacy Services most often is that even when all necessary identifiers are removed from data it still contains information which could be used alone or in combination with other information to identify an individual; when this identification is possible, then data is not truly de-identified. Given this risk, we strongly recommend that if WhatsApp is used, such use is limited to only administrative purposes when necessary.

WHAT'S THE BETTER CHOICE?

Microsoft Teams is a UC Davis Health approved alternate and contains the security safeguards needed to protect patient information. As needed for clinical care purposes, please use TigerText or Epic SecureChat, as listed in policy 2715.

CALL TO ACTION: If you are currently using WhatsApp for work, Compliance and Privacy Services strongly urges you to switch to using Microsoft Teams for all work-related messaging. It's secure, compliant, and keeps us aligned with HIPAA Requirements.

Questions? Please contact the Privacy Program team with related inquiries or concerns.



hs-privacyprogram@ucdavis.edu



(916)734-8808

KEYS TO REMEMBER

- # Microsoft Teams is the recommended HIPAA-compliant alternative for non-clinical secure communication.
- # Even "de-identified information" can still be a privacy risk if it can be linked back to a patient.
- WhatsApp is not an approved messaging solution at UC Davis Health.
- Limit WhatsApp use to only necessary administrative purposes, and when in doubt—choose a safer alternative.
- Using unauthorized messaging apps for patient information puts both patient and our organization at risk of HIPAA violations and potential breaches.

We all have a role to play in safeguarding patient information. Choosing the right platform isn't just a policy—it's a way to uphold the trust our patients place in us every day.