

GUIDELINES FOR ONLINE PRAYER REQUESTS

While the specific provisions of HIPAA do not apply in most church settings, the principle of privacy should still be observed. Those who participate in unauthorized disclosure of personal health information – whether accurate or not – can be subject to liability for invasion of privacy.

One such case, *Mitnaul v. Fairmount Presbyterian Church*, involved the publication of a praise/prayer request on the church's website:

"We have good news for you! Bryan Mitnaul is returning to Fairmount after a long medical leave of absence. Since the summer of last year, Bryan has been treated for bipolar illness; a condition that at times has resulted in serious depression for him. Various therapies and medications have been tried, and finally, after much experimentation, his health has improved considerably. For that we are all very happy."

Mr. Mitnaul sued the church, claiming that his privacy had been violated. The court agreed with Mr. Mitnaul, stating, "An actionable invasion of the right to privacy is the . . . publicizing of one's private affairs with which the public has no legitimate concern, or the wrongful intrusion into one's private activities in such a manner as to outrage or cause mental suffering, shame, or humiliation to a person of ordinary sensibilities."

In other words, the specific details of a person's medical situation could be a cause of embarrassment, and that person alone should have the right to decide when, if, and how that information should be released. We cannot and should not make that decision on another person's behalf.

Following are guidelines for staying out of trouble:

- A person's name should only be published in a prayer list with the permission of that individual.
- If the person is extremely ill or is a minor, the caregiver, parent, or guardian may give permission.
- Health details should be shared only with permission.
- When information is shared, less is best. The Lord knows all the details; it is not necessary for us to know everything in order to pray.