

INDIVIDUAL REQUESTS TO AMEND HEALTH INFORMATION PROCEDURE

1. The Privacy Official or Designee(s) may designate trained members of the workforce to perform any of the duties assigned to the Privacy Official or Designee(s) in this procedure, subject to the supervision of the Privacy Official or Designee(s).
 - 1.1 Requests to amend protected health information will be received by the department manager at the location where the patient makes the request. Requests that are directed generally to BHHF will be referred to the
 - 1.2. All requests will be routed to the Privacy Official or Designee(s) for processing.

Processing procedure

2. The Privacy Official or Designee(s) will assure that the request from the patient is documented in writing.
3. The Privacy Official or Designee(s) will determine whether any of the subject information is not subject to amendment for the reasons stated in this policy.
4. The Privacy Official or Designee(s) will identify which physicians and other professionals originated the subject information, and will confer with them regarding whether any information should be amended. If the originator of the information is not available, the Privacy Official or Designee(s) will confer with the Clinical Director or a designated physician or other professional in the same specialty.
5. The Privacy Official or Designee(s) will prepare a response to the patient. If the amendment of any information is denied, the response will include the required elements of a notice of denial. The response will comply with the time frames in this policy, or with any more stringent time frames set by state law.
6. The Privacy Official or Designee(s) will receive any statement of disagreement, and will prepare any rebuttal with the assistance of the professional who originated the information in question or the designated professional if the originator is not available.
7. The Privacy Official or Designee(s) will assemble the entire file to be appended to the affected designated record sets, including the original request, notice of denial, statement of disagreement, and rebuttal.

8. The Privacy Official or Designee(s) will retain all documentation related to the request, whether it is granted or denied, for as long as the subject data are maintained in designated record sets.

Information management.

9. The Directors of Health Information Management (Medical Records) and Information Systems, with the assistance of the Privacy Official or Designee(s), will implement necessary changes in record keeping, both paper and electronic, to effect the required references and links to documents pertaining to a request to amend PHI.

REFERENCE: 45 CFR § 164.526

See also: DESIGNATION OF RECORD SETS

RIGHT OF ACCESS TO PROTECTED HEALTH
INFORMATION

Effective Date: 4/14/03

Dates Revised:



Jerome E. Lovrien, Commissioner, Bureau for Behavioral Health and Health Facilities