

# Sample Patient Access/Amendment to PHI Policy

Original Dated: \_\_\_\_\_

[Practice Name]

Revision No. \_\_\_\_\_

Title: Patient Access/Amendment to PHI  
and PHI Disclosure Summary.

Review Date:

**Purpose** To provide guidance to practice and medical staff regarding the appropriate protocol for patients to review, request and receive a disclosure summary, and amend their protected health information (PHI).

**Policy:** Patients who believe information in their medical records is incomplete or incorrect may have access to their medical record and may request a correction and/or amendment to their medical record. The amendment or correction becomes a permanent part of the medical record. The author (physician or ancillary health provider) has an opportunity to comment on the patient's amendment of the medical record. Patients are allowed access to their health information according to the guidelines established by Federal HIPAA privacy standards and Louisiana State Administrative Rules regarding patient access to PHI. In addition, the patient may request a summary of their PHI disclosure history except for disclosures that were for treatment, payment, and operations.

## **Procedure:**

### **A. Patient Access to PHI:**

1. Patient, or legal guardian, must provide photo identification.
2. Patient may request copies of records by completing the "Authorization to Release Information" form. The original record is the property of the practice and is not to be given to patient. A photo copy charge may be requested should chart request be beyond the minimum standard disclosure practice (Minimum standards is defined as all dictated reports)
3. Patient may only inspect and review original medical record document in the presence of a practice employee.
4. The practice must provide requested medical record copies to the patient within 30 days.
5. The practice may deny access to patient's record if it is know that the PHI may be harmful to the patient or to the safety of another person.
6. The patient has a right to have the denial of access reviewed by a licensed health care professional.

## **Patient Access/Disclosure/Amendment to PHI**

### **B. Accounting Disclosure Summary of PHI to Patient:**

1. A patient has the right to request and receive a summary of disclosures of PHI made by the practice in the six years prior to the date on which the accounting is requested, except for disclosures that were for practice directory (census), treatment, payment, and operations.
2. The practice must provide a written summary of disclosures, within the timeframe based on patient's request except for omissions as required by law or oversight agencies. The summary must include the following; date of disclosure, the name and address of the entity or individual who received the PHI, a brief description of PHI disclosed, the purpose of disclosure, copy of the requested disclosure and signed authorization of the patient.
3. The practice must provide the above information to the patient within 60 days.
4. The practice may charge the patient if the patient has requested a disclosure summary more than once during a 12-month period of time.
5. The practice must keep a copy of the disclosure summary in the patient's medical record.

### **C. Patient Request for Amendment/Correction to PHI:**

1. Upon patient request for a correction or amendment to PHI the patient must complete the "Request for Correction/Amendment of Health Information" form. In addition patient may attach supportive information to the form if needed.  
Request to correct or amend PHI must be reviewed by the author of the record entry. The author (physician or other health care provider) is given the opportunity to agree or disagree and document their decision and sign form.  
Upon completion by the author a copy of the completed request is sent to the patient and attached to the medical record at the location in the chart that the PHI is affected within 60 days of the request. If the request is denied, all documents will be placed at the back of the chart.
2. The patient has an opportunity to submit a statement of disagreement should the request be denied by the author. The author may provide a rebuttal to the statement of disagreement and provide the patient with a copy.
3. The practice must include the patient's amendment/correction and author's comments with any future disclosures.