

HACKETTSTOWN REGIONAL MEDICAL CENTER

Administrative Policy & Procedure

Request to Amend Medical Record

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Effective Date:	July 2006	Policy No:	HIPAA-15
Cross Referenced:		Origin:	Compliance Officer
Reviewed Date:	10/08, 6/12	Authority:	Chief Operating Officer
Revised Date:		Page:	1 of 2

PURPOSE:

To develop policies and procedures for denying or granting a request from an individual to amend Their PHI that is erroneous or incomplete.

POLICY:

HRMC identifies the regulatory specifications for when HRMC may deny an individual's request for amendment. HRMC may deny an individual's request for amendment, if it determines that the PHI or record that is the subject of the request:

1. Was not created by HRMC, unless the individuals provide a reasonable basis to believe that the originator of record is no longer available to act on the requested amendment.
2. Is not part of the designated record set.
3. The record is accurate and complete according to the Physician, Nursing, or Medical Records

If HRMC denies the requested amendment, it must provide the individual with a written denial:

- No later than 60 days after receipt of such a request
- Written in plain language
- Must contain the basis for the denial
- Contains the individual's right to submit a written statement disagreeing with the denial and how the individual may file such a statement.
- Contains a statement that, if the individual does not submit a statement of disagreement, the individual may request that HRMC provide the individual's request for amendment and the denial with any future disclosures of the record that is the subject of the amendment.
- Contains a description of how the individual may complain to HRMC pursuant to its complaint procedures or to the DHHS Secretary.

HRMC will provide a description of how the individual may file a complaint to HRMC including the name, or title, and telephone number of the contact person or office designated to receive such complaints.

HRMC will permit the individual to submit to HRMC a written statement disagreeing with the denial of all or part of a requested amendment and the basis of such disagreement.

If HRMC prepares a written rebuttal to the individual's statement of disagreement, HRMC must provide a copy to the individual who submitted the statement of disagreement.

HRMC will identify the record or PHI in the designated record set that is the subject of the disputed amendment. HRMC must append or otherwise link the individual's request for an amendment, to HRMC's denial of the request, the individual's statement of disagreement, if any, and HRMC's rebuttal, if any, to the designated record set.

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If the individual has submitted a statement of disagreement, HRMC must include:

1. the material appended, or
2. An accurate summary of any such information, with any subsequent disclosure of the Medical Record to which the disagreement relates.

If the individual has not submitted a written statement of disagreement, HRMC must include the individual's request for amendment and its denial, or an accurate summary of such information, with any subsequent disclosure of the Medical Record only if the individual has requested such action.

If HRMC is informed by another covered entity of an amendment to an individual's Medical Record, it must amend the PHI in designated records sets that is the subject of the request for amendment. HRMC must at a minimum identify the records in the designated record set that are affected by the amendment and appending or otherwise providing a link to the location of the amendment.

HRMC may extend the time period for the action by no more than 30 days. If HRMC extends the time period for the action, must within 30 days after receipt of the request, provide the individual with a written statement of the reasons for the delay and the date by which HRMC will complete its action on the request. HRMC will not extend the time period more than once