Policy Statement:

Patients have the right to receive an accounting of disclosures of their (PHI) that Renown Health made during a period of up to six (6) years prior to the date on which the accounting is requested, except for disclosures made:

1. To carry out treatment, payment or health care operations;
2. To the individual about his or her own information;
3. Incident to a use or disclosure otherwise permitted by the Privacy Rule;
4. Pursuant to an authorization as provided in 45 CFR§164.508 Uses and Disclosures for Which an Authorization is Required;
5. As part of a limited data set;
6. For the facility directory or to persons involved in the individual's care, or other notification purposes permitted under law;
7. For national security or intelligence purposes; or
8. Certain disclosures to correctional institutions or law enforcement officials, as permitted under law;
9. That occurred prior to the compliance date for Renown Health, which is April 14, 2003. However, pursuant to the first paragraph of this policy, 6 years prior to any date in 2016 is 2010. All requested accountings will only go back that far.

Renown must suspend the right to receive an accounting of disclosures of PHI to a health oversight agency or those disclosures to a law enforcement official that do not meet the exception above for the time period specified by such agency or official. The agency or official must have provided a written statement asserting that the provision of an accounting would be reasonably likely to impede the activities of the agency or official and specifying the time period for the suspension.
A suspension may be requested and implemented based on an oral notification for a period of up to thirty (30) days. Oral requests must be documented, including the identity of the agency or official making the request. Suspensions based upon oral requests may not exceed thirty (30) days. If a written request is submitted in support of an oral request, within thirty (30) days, it may be honored for the length of time indicated in the written request.

Renown Health will create and maintain logs of disclosures of PHI as required by HIPAA. These logs may be written or in electronic format.

**Definition of Terms:**

1. **Disclosure** – Means the release, transfer, provision of access to, or divulging in any other manner of information outside the entity holding the information.

2. **Protected Health Information (PHI)** – For the purpose of this policy, is defined as any individually identifiable Health information collected or stored by a facility. Individually identifiable health information includes demographic information and any information that relates to past, present or future physical or mental condition of an individual and billing records. PHI does not include education records covered by the Family Educational Rights and Privacy Act (FERPA); Employment records by a Covered Entity in its role as an employer; and regarding a person who has been deceased more than 50 years.

3. **Workforce Member** – Employees, volunteers, trainees, medical staff, residents and other persons whose conduct, in the performance of work for a Renown Health, is under the direct control of Renown, whether or not they are paid by Renown.

**Procedure:**

1. The required written accounting shall meet the following requirement:
   a. The accounting will include disclosures of PHI that occurred during the period up to six (6) years prior to the date of the request, with the earliest date subject to disclosure being April 14, 2003.

2. The accounting for each disclosure will include:
   a. The date of the disclosure;
   b. The name of the entity or person who received the PHI (if available, the address should also be provided);
   c. A brief description of the PHI disclosed;
   d. A brief statement of the purpose for the disclosure. This description should provide the individual with a reasonable explanation of the basis for the disclosure;

3. If, during the period for the accounting, the individual’s information may have been included in a disclosure of health information for research purposes for fifty (50) or more individuals, the following shall be included in the accounting:
   a. The name of the protocol or other research activity;
   b. A description, in plain language, of the research protocol or other research activity,
including the purpose of the research and the criteria for selecting particular records;
c. A brief description of the type of protected health information that was disclosed;
d. The date or period of time during which such disclosures occurred, or may have occurred, including the date of the last such disclosure during the accounting period;
e. The name, address, and telephone number of the entity that sponsored the research and of the researcher to whom the information was disclosed; and
f. A statement that the protected health information of the individual may or may not have been disclosed for a particular protocol or other research activity.
g. If Renown provides an accounting for research disclosures, as described above, and if it is reasonably likely that the protected health information of the individual was disclosed for such research protocol or activity, Renown will, at the request of the individual, assist in contacting the entity that sponsored the research and the researcher.

4. If multiple disclosures have been made to the same entity or person for a single purpose, the accounting may provide detailed information regarding the first instance only. Summary information may be provided as to the number of disclosures made during the accounting period and the date of the last such disclosure during the accounting period.

5. An individual's request for an accounting must be acted upon no later than sixty (60) days after receipt, as follows:
   a. Provide the accounting as requested and outlined above;
   b. If unable to provide the accounting within sixty (60) days, the time for response may be extended by no more than thirty (30) additional days, provided that:
      i. Within the first sixty (60) days Renown provides the individual a written statement of the reasons for the delay and the date by which the accounting is expected to be provided, and;
      ii. There are no additional extensions of time for response.

6. The first accounting in any twelve (12) month period must be provided to the individual without charge. A reasonable, cost-based fee may be charged for additional accountings within the twelve (12) month period, provided the individual is informed in advance of the fee, and is permitted an opportunity to withdraw or amend the request.

7. Renown Health must document and retain documentation, in written or electronic format, for a period of six (6) years, including:
   a. All information required to be included in an accounting for disclosures of PHI;
   b. All written accountings provided to individuals; and
   c. Titles of persons or offices responsible for receiving and processing requests for an accounting from individuals.

8. Each workforce member with treatment, payment or health care related responsibilities is responsible for compliance with these policies and principles.
9. The Chief Compliance and Privacy Officer has the responsibility of facilitating compliance with these procedures.


**References/Regulations:**

- 45 CFR §164.528
- RENOWN.HRM.810 Coaching and Corrective Action

**Contributors:**

- Brian Colonna, HIPAA Privacy Coordinator
- Drew Williamsen, Manager of Compliance