Scope: Unless otherwise limited, this policy applies to Renown Health as defined in Renown.CCD.700.

Purpose: To ensure that the Renown Health (“Renown” or “health network”) properly provides patients and members access to their protected health information in accordance with applicable laws and regulations.

Policy: Patients/members have certain rights with respect to their health information created or received by Renown. For example, patients/members have the right of access to inspect and copy certain health information used by Renown, in whole or in part, to make decisions about a patient/member. It is Renown’s policy that health network personnel afford patients and members this right by complying with the procedures set forth below.

Procedure:

I. Requests by a Patient. A patient/member requesting copies of their medical record for personal use must do so in writing by completing a request form approved by the Privacy Officer. The request shall be directed to the applicable Health Information Management department or, in the absence of an HIM department, to the Privacy officer or his/her designee.

II. Time Limit for Providing/Denying Access. In general, Renown must act on a request by a patient/member for access no later than thirty (30) days after receipt of the request. If Renown grants the request, in whole or in part, it must inform the patient/member of the acceptance of the request and provide the access requested. If Renown denies the request, in whole or in part, it must provide the patient/member with a written denial in accordance with Section J, below. If the request for access is for health information that Renown does not maintain or access onsite, Renown must take action no later than sixty (60) days from the receipt of such request. If Renown is unable to take the action required in such time, Renown may extend the time for such action by no more than thirty (30) days provided:

A. Within the applicable time limit set forth above, Renown provides the patient/member with a written statement of the reasons for the delay and the date by which Renown will complete its action on the request of the patient/member; and

B. Renown may have only one (1) such extension of time for action on a patient/member request for access.

III. Information that Patient/Member Has the Right to Access. In general, a patient/member has the right of access to inspect and copy health information used by Renown, in whole or in part, to make decisions about the patient/member. This right, however, does not extend to certain types
of information described in Section IV, below. In addition, Renown may, under certain circumstances, deny a patient/member access to his or her health information regardless of whether such information is contained in the records of the patient/member, as described in Section V, below.

IV. Information that Patient/Member Does Not Have the Right to Access. A patient/member does not have the right to access the following:

A. Psychotherapy notes;
B. Information compiled in reasonable anticipation of, or for use in, a civil, criminal or administrative action or proceeding;
C. Information held by clinical laboratories if the Clinical Laboratory Improvements Amendments of 1988 ("CLIA") prohibits such access (i.e., the patient/member is not, under applicable law, an “authorized person” who is permitted to receive the laboratory test record or report); or
D. Health information held by certain research laboratories that are exempt from the CLIA regulations.

V. Grounds for Denial of Access. Renown may, under the circumstances listed below, deny a patient/member access to information he or she would otherwise be entitled to access. However, as set forth below, a patient may have the right to request that Renown review its denial.

A. Non-Reviewable Grounds for Denial. Renown may deny a patient/member the right to access his or her health information in the following circumstances:

1. Information excepted from the Right of Access as described in Section IV, above;
2. To the extent that Renown is acting under the direction of a correctional institution, Renown may deny, in whole or in part, the request by an inmate to obtain a copy of his or her health information if providing such copy would jeopardize the health, safety, security, custody or rehabilitation of the inmate or other inmates or the safety of any officer, employee or other person at such institution or any person responsible for transporting the inmate;
3. Renown may temporarily suspend the right of access to information created or obtained by Renown in the course of research that includes treatment for as long as the research is in progress, provided that the patient has agreed to the denial of access when consenting to participate in such research and Renown has informed the patient that his or her right of access will be reinstated upon completion of the research;
4. Renown may deny a patient/member access to his or her health information that is subject to the Privacy Act, 5 U.S.C. §552a, if the denial of access under the Privacy Act would meet the requirements of that law; or
5. Renown may deny access to information if Renown obtained the information from someone other than a health care provider under a promise of confidentiality and the access requested would be reasonably likely to reveal the source of the information.

B. Grounds for Denial Subject to Review. Renown may deny a patient/member right to access
his or her health information in the following circumstances, subject to the right of the patient/member to request that any such denial be reviewed:

1. A licensed health care professional has determined, in the exercise of professional judgment, that the access requested is reasonably likely to endanger the life or physical safety of the patient/member or another person;

2. The patient/member health information makes reference to another person (unless such other person is a health care provider) and a licensed health care provider has determined, in the exercise of professional judgment, that the access requested is reasonably likely to cause substantial harm to such person; or

3. The personal representative of the patient/member makes the request for access and a licensed health care provider has determined, in the exercise of professional judgment, that the provision of access to such personal representative is reasonably likely to cause substantial harm to the patient/member or another person.

VI. Providing the Access Requested. If Renown provides a patient/member with access, in whole or in part, to his or her health information, Renown must provide the access requested by the patient/member, including inspection and/or obtaining a copy. If the same information that is the subject of a request for access is maintained in more than one record or at more than one location, Renown need only produce the health information once in a response for request for access.

VII. Form of Access Requested. Renown must provide the patient/member with access to his or her information in the form or format requested by the patient/member if the information is readily producible in such form or format; or, if not readily producible in such form or format, then in readable hard copy form, or in such other form to which Renown and the patient/member may agree. Renown may provide the patient/member with a summary of the information requested in lieu of providing access to the information or may provide an explanation of the information to which access has been provided if:

A. The patient/member agrees in advance to such a summary or explanation; and

B. The patient/member agrees in advance to the fees imposed, if any, by Renown for such summary or explanation.

VIII. Time and Manner of Access. Renown must provide the access as requested by the patient/member in a timely manner, including arranging with the patient/member for a convenient time and place to inspect or obtain a copy of the health information, or mailing a copy of the information at the request of the patient/member. Renown may discuss the scope, format and other aspects of the request for access with the patient/member as necessary to facilitate the timely provision of access.

IX. Fees. If the patient/member requests a copy of his or her health information or agrees to a summary or explanation of such information, Renown may impose a reasonable, cost-based fee, provided that the fee includes only the cost of: copying (including the cost of supplies for and labor of copying); postage (when the patient/member has requested that the information be
mailed); and preparing an explanation or summary of the health information, if agreed to by the patient/member as required by Section VII, above. Nevada law provides for a maximum per-page rate that providers may charge for medical record production.

X. Denial of Access. If Renown denies access, in whole or in part, to health information, the Privacy Officer, or his or her designee, must provide a timely, written denial to the patient/member in accordance with Section II, above. The denial must be in plain language and contain:

A. The basis for the denial;

B. If applicable, a statement of the review rights of the patient/member under Section M, below, including a description of how the patient/member may exercise such review rights; and

C. A description of how the patient/member may complain to Renown (including the name, title and telephone number of the contact person or office) or to the Secretary of the Department of Health and Human Services pursuant to the complaint procedures described in Renown.CCD.765.

XI. Making Other Information Accessible. Renown must, to the extent possible, give the patient/member access to any other health information requested, after excluding the information as to which Renown has a ground to deny access.

XII. Other Repository of Information. If the Renown entity to which a patient/member request for access is directed does not maintain the health information that is the subject of the request for access, and the Renown entity knows where the requested information is maintained (either at another Renown entity or elsewhere), then Renown must inform the patient/member of where to direct the request for access.

XIII. Review Process. If Renown denies access for a reason described in Section V, above, then the patient/member has the right to have such denial reviewed by a licensed health care professional who is designated by Renown to act as a reviewing official and who did not participate in the original decision to deny access. Renown must promptly refer a request for review to such designated reviewing official. The designated reviewing official must determine, within a reasonable period of time, whether or not to deny the access requested based on the standards in Section V.B., above. Renown must promptly provide written notice to the patient of the determination of the reviewing official and take such other action as required by law to carry out the reviewing official’s determination.

XIV. Documentation. Renown must document the following and retain such documentation for at least six (6) years from the date of creation or the date on which the same were last in effect, whichever is later:

A. The records that are subject to access by patients; and

B. The titles of the persons or offices responsible for receiving and processing requests for access by patients.

Renown medical records also are covered by Renown’s Document Retention policy. Please consult that policy for the appropriate retention period.
<table>
<thead>
<tr>
<th>RENOWN HEALTH NETWORK POLICY</th>
<th>Current Version</th>
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<tbody>
<tr>
<td>Number: RENOWN.CCD.755</td>
<td>Effective Date: 04/01/10</td>
</tr>
<tr>
<td>Title: Patient/Member Right to Access Protected Health Information</td>
<td>Next Review: 04/01/11</td>
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**References:**
- 45 CFR 164.524
- NRS 629.061
- Renown.CCD.550

**Contributors:**