

PLUMAS COUNTY, CALIFORNIA



HIPAA RELATED POLICIES AND PROCEDURES

EFFECTIVE APRIL 14, 2003

INDIVIDUAL RIGHTS FOR AN ACCOUNTING OF DISCLOSURES

Policy:

Plumas County will account to individuals for the disclosure of protected health information in accordance with applicable laws.

Purpose:

With some exceptions, the law requires that a covered entity be able to give individuals an accurate accounting of all uses and disclosures that are for purposes other than treatment, payment, and health care operations.

Responsibilities:

With some exceptions, the County is required to track all disclosures of protected health information that occur and maintain the data for six years. All disclosures are to be documented within an individual's chart, file or record. The following uses and disclosures are **not** required to be tracked:

- Those made for treatment, payment or operations;
- Those made to the individual;
- Those made pursuant to a written authorization; and
- Those made prior to April 14, 2003 and/or more than 6 years before the date of the request for an accounting.

Individuals must request an accounting of disclosures in writing.

The County must provide an accounting of disclosures within 60 days of the request or provide the individual with a written statement of the reasons for the delay and a date by which the accounting will be furnished.

The County may not charge a fee for the first accounting given in any twelve month period. The County may impose a reasonable, cost-based charge for any subsequent accounting during the same twelve month period provided the individual is notified in advance.

Process:

Individuals will make their request on the form provided by the County **OR** in writing.

The accounting will cover all non-exempt disclosures made during the specified period.

For each disclosure the accounting will include the following information:

- Date of disclosure.
- Name of recipient of the information and their address, if known.
- Description of the information disclosed.
- A brief statement of the purpose of the disclosure or, alternatively, a copy of any written authorization or request for access that led to the disclosure.

When the accounting is for multiple recurring disclosures made to the same entity for a particular purpose, a summary accounting may be made. A summary accounting has:

- All of the information required above for the first disclosure;
- The frequency and total number of disclosures; and
- The date of the last disclosure.

If during the accounting period disclosures were made as part of a research study, The County must, at the request of the individual, assist the individual in contacting the entity that sponsored the research, as well as the party conducting the research.

The County must provide an accounting of disclosures within 60 days of the request or provide the individual with a written statement of the reasons for the delay and a date by which the accounting will be furnished. The expected completion date may not be more than 30 days beyond the original 60 day period.

The County must retain the following information about requests for accountings:

- The written accounting provided to an individual requestor;
- Actual communications to and from the individual requestor;
- Titles of the person or offices responsible for receiving and processing accounting requests;
- Written documentation of any oral notification by a health oversight agency or law enforcement official to temporarily suspend an individual's right to an accounting of disclosure; and

The first accounting given to any individual in a twelve month period is free of charge. The County may impose a reasonable, cost-based charge for any subsequent accounting during the same twelve month period provided the County notifies the individual in advance of the projected charge, thus providing them an opportunity to withdraw or modify their request.

Date issued: April 14, 2003

Last revision date: