



Oklahoma State University

Title: Terminating A Restriction & Documentation	Policy #: PRV-09.02
Category: HIPAA Compliance	Authority: 45 CFR § HIPAA SECTION: 164.522(a)(2)
Standard: Right of an Individual to Request Restriction of Uses and Disclosures	Responsibility: Health Care Components
Effective Date: 4/14/2003	Page 1 of 1
Approved By: OSU Legal Counsel	Revised: 7/1/2013

PURPOSE:

To identify the steps necessary to terminate a previously valid restriction.

POLICY:

OSU may terminate a restriction, if: §164.522(a)(2)

1. The individual agrees to or requests the termination in writing; §164.522(a)(2)(i)
2. The individual orally agrees to the termination and the oral agreement is documented; or §164.522(a)(2)(ii)
3. OSU informs the individual that it is terminating its agreement to a restriction, except that such termination is: §164.522(a)(2)(iii)
 - a. Not effective for protected health information restricted under policy PRV-09.01 *Right of an Individual to Request Restriction of Uses and Disclosures* paragraph (6); and §164.522(a)(2)(iii)(A)
 - b. Only effective with respect to protected health information created or received after it has so informed the individual. §164.522(a)(2)(iii)(B)
4. Documentation – OSU must document a restriction in accordance with §164.530(j) *Documentation of the Privacy Rule*. §164.522(a)(3)

PROCEDURE:

1. If the individual requests a termination of any previous valid restriction, OSU shall terminate the restriction either on date of notification or on date specified by individual.
2. If the individual terminates or if OSU terminates the restriction verbally, OSU staff shall document in the individuals Medical Record of such termination.
3. OSU cannot terminate a restriction if it was never valid to begin with.
4. OSU will terminate a restriction if OSU learns any information provided in regards to the valid restriction was or is false or fraudulent.
5. Any agreement to restrict or termination of restriction shall be documented in the individuals Medical Record in accordance with PRV-05.01 *Documentation of Changes to Policy*.