



Oklahoma State University

Title: Requests for Access & Timely Action	Policy #: PRV-10.02
Category: HIPAA Compliance	Authority: 45 CFR § HIPAA SECTION: 164.524(b)
Standard: Access to PHI	Responsibility: Health Care Components
Effective Date: 4/14/2003	Page 1 of 2
Approved By: OSU Legal Counsel	Revised: 7/1/2013

PURPOSE:

To ensure requests to access PHI is processed in a timely manner.

POLICY:

1. OSU must permit an individual to request access to inspect or to obtain a copy of the protected health information about the individual that is maintained in a designated record set. OSU may require individuals to make requests for access in writing, provided that it informs individuals of such a requirement.. *§164.524(b)(1)*
2. OSU must act on a request for access no later than 30 days after receipt of the request as follows. *§164.524(b)(2)*
 - a. If granted, in whole or in part, OSU must inform the individual of the acceptance of the request and provide the access requested in accordance with PRV-10.01; *§164.524(b)(2)(i)(A)*
 - b. If denied, either in whole or in part, OSU must provide the individual with a written denial in accordance with PRV-10.04 *§164.524(b)(2)(i)(B)*
3. If the request for access is for PHI that is not maintained or accessible to OSU, OSU must take action no later than 60 days from the receipt of such a request. *§164.524(b)(2)(ii)*
4. If OSU is unable to take an action within the time required, as applicable, OSU may extend the time for such actions by no more than 30 days by provided that: *§164.524(b)(2)(iii)*
 - a. OSU, within the specified time limits, as applicable, provides the individual with a written statement of the reasons for the delay and the date by which OSU will complete its action on the request; and *§164.524(b)(iii)(A)*
 - b. OSU may only have one such extension of time for action on a request for access. *§164.524(b)(iii)(B)*

PROCEDURE:

1. OSU shall notify an individual in the Notice of Privacy Practices that the individual can request access to their medical records via written notification.
2. Upon an individual's written request to access their own protected health information, the 30 day time limit starts from the day the OSU Agent physically receives the written request.



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3. The OSU agent shall document in the individuals medical record of such request and document the date received.
4. If the request needs approval from a Physician or other approval to release, the OSU Agent shall seek to obtain such approval without delay.
5. If approval has not been given by 20 days, the OSU agent shall send notification via First Class Mail informing the individual of the 30 day extension which would start 10 days from the date of the written notification.
6. If at any time during this process OSU must deny access for approved reasons which OSU has the right to deny, the OSU agent shall notify the individual of the denial in writing per PRV-10.04 *Denial of Access*.