



## Oklahoma State University

<b>Title: Request for Amendment and Timely Action</b>	<b>Policy #: PRV-11.02</b>
<b>Category: HIPAA Compliance</b>	<b>Authority: 45 CFR § HIPAA SECTION: 164.526(b)</b>
<b>Standard: Right To Amend</b>	<b>Responsibility: Health Care Components</b>
<b>Effective Date: 4/14/2003</b>	<b>Page 1 of 2</b>
<b>Approved By: OSU Legal Counsel</b>	<b>Revised: 7/1/2013</b>

### PURPOSE:

To identify the requirements and time limits to process the amendment.

### POLICY:

- OSU must permit an individual to request that OSU amend the protected health information maintained in the designated record set. OSU may require individuals to make requests for amendment in writing and to provide a reason to support a requested amendment, provided that it informs individuals in advance of such requirements. *§164.526(b)(1)*
- OSU must act on the individual's request for an amendment no later than 60 days after receipt of such a request, as follows: *§164.526(b)(2)(i)*
  - If OSU grants the requested amendment, in whole or in part, OSU must take actions as indicated in policy PRV-11.03 Accepting the Amendment. *§164.526(b)(2)(i)(A)*
  - If OSU denies the requested amendment, in whole or in part, OSU must provide the individual with a written denial, in accordance with policy PRV-11.04 Denying the Amendment. *§164.526(b)(2)(i)(B)*
- If OSU is unable to act on the amendment within 60 days, OSU may extend the time for such action by no more than 30 days provided that: *§164.526(b)(2)(ii)*
  - OSU provides the individual with a written statement of the reasons for the delay and the date by which OSU will complete the action on the request; and *§164.526(b)(2)(ii)(A)*
  - OSU may have only one such extension per request for amendment. *§164.526(b)(2)(ii)(B)*

### PROCEDURE:

- All requests for Amendments shall be made in writing.
- All requests shall be forwarded onto the HIPAA Compliance Office to ensure such request meets all the requirements set forth in this section of the policies.
- Once the HIPAA Compliance Office determines the request meets all applicable requirements, the Office shall forward the request onto the appropriate physician for actual determination to accept or deny the request.



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4. If the physician accepts the amendment request, such amendment will be made to the individual medical record.
5. If the physician denies the amendment request, a letter shall be sent to the individual explaining why the request was denied, and what further actions may be taken, including where to file a compliant.