



## Oklahoma State University

<b>Title: Right to an Accounting of Disclosures of Protected Health Information</b>	<b>Policy #: PRV-12.01</b>
<b>Category: HIPAA Compliance</b>	<b>Authority: 45 CFR § HIPAA SECTION: 164.528(a)</b>
<b>Standard: Right to an Accounting of Disclosures of Protected Health Information</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 layout the Patient's rights regarding an accounting of disclosures of their own PHI.

### POLICY:

1. An individual has a right to receive an accounting of disclosures of protected health information made OSU in the six years prior to the date on which the accounting is requested, **except for disclosures:** §164.528(a)(1)
  - a. To carry out treatment, payment and healthcare operations as provided in §164.506; §164.528(a)(1)(i)
    - o One exception is that any records contained with an Electronic Health Record at OSU, the individual has a right to receive an accounting of disclosures made by OSU during only the three years prior to the date on which the accounting is requested. *Sec. 13405(c)*
  - b. To individuals of PHI about them as provided in §164.502; §164.528(a)(1)(ii)
  - c. Incident to a use or disclosure otherwise permitted or required by the Privacy Rule, as provided in §164.502; §164.528(a)(1)(iii)
  - d. Pursuant to an authorization as provided in §164.508; §164.528(a)(1)(iv)
  - e. For OSU facility directory or to persons involved in the individual's care or other notification purposes as provided in §164.510; §164.528(a)(1)(v)
  - f. For national security or intelligence purposes as provided in §164.512(k)(2); §164.528(a)(1)(vi)
  - g. To correctional institutions or law enforcement officials as provided in §164.512(k)(5); §164.528(a)(1)(vii)
  - h. As part of a limited data set in accordance with §164.514(e); or §164.528(a)(1)(viii)
  - i. That occurred prior to the HIPAA compliance date for OSU. §164.528(a)(1)(ix)
2. OSU must temporarily suspend an individual's right to receive an accounting of disclosures to a health oversight agency or law enforcement official, as provided in § 164.512(d) or (f), respectively, for the time specified by such agency or official, if such agency or official provides OSU with a written statement that such an accounting to the individual would be reasonably likely to impede the agency's activities and specifying the time for which such a suspension is required. §164.528(2)(i)
3. If the agency or official makes such a request orally, OSU must: §164.528(a)(2)(ii)



## Oklahoma State University

<b>Title: Right to an Accounting of Disclosures of Protected Health Information</b>	<b>Policy #: PRV-12.01</b>
<b>Category: HIPAA Compliance</b>	<b>Authority: 45 CFR § HIPAA SECTION: 164.528(a)</b>
<b>Standard: Right to an Accounting of Disclosures of Protected Health Information</b>	<b>Responsibility: Health Care Components</b>
<b>Effective Date: 4/14/2003</b>	<b>Page 2 of 2</b>
<b>Approved By: OSU Legal Counsel</b>	<b>Revised: 7/1/2013</b>

- a. Document the statement, including the identity of the agency or official making the statement. *§164.528(a)(2)(ii)(A)*
- b. Temporarily suspend the individual's right to an accounting of disclosures subject to the statement and; *§164.528(a)(2)(ii)(B)*
- c. Limit the temporary suspension to no longer than 30 days from the date of the oral statement, unless a written statement is submitted during that time. *§164.528(a)(2)(ii)(C)*
4. An individual may request an accounting of disclosures for a period of time less than six years from the date of the request. *§164.528(a)(3)*

### PROCEDURE:

1. An individual requesting an accounting of disclosures shall fill out the required form, [found here](#).
2. The form must be completed in its entirety and returned to the HIPAA Compliance Office.
3. If the form is returned to other staff at OSU, they shall forward the request on to the HIPAA Compliance Office without delay.

### REFERENCE:

45 CFR §164.528(a)  
HITECH Sec.13405(c)