



## Oklahoma State University

<b>Title: Content of the Accounting</b>	<b>Policy #: PRV-12.02</b>
<b>Category: HIPAA Compliance</b>	<b>Authority: 45 CFR § HIPAA SECTION: 164.528(b)</b>
<b>Standard: Right to An Accounting of Disclosure 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 identify the required elements OSU must provide those individuals who request an accounting of disclosure.

### POLICY:

OSU must provide the individual with a written accounting that meets the following requirements:  
*§164.528(b)*

1. Except as otherwise provided in Policy PRV-12.01 *Right to Accounting of Disclosures of PHI*, the accounting must include disclosures of PHI that occurred during the six years (or such shorter time period at the request of the individual) prior to the date of the request for an accounting, including disclosures to or by business associates of OSU. *§164.528(b)(1)*
2. Except as otherwise noted in this policy, the accounting must include for each disclosure:  
*§164.528(b)(2)*
  - a. The date of the disclosure *§164.528(b)(2)(i)*
  - b. The name of the entity or person who received the PHI and, if known, the address of such entity or person; *§164.528(b)(2)(ii)*
  - c. A brief description of the PHI disclosed; and *§164.528(b)(2)(iii)*
  - d. A brief statement of the purpose of the disclosure that reasonably informs the individual of the basis for the disclosure or, in lieu of such statement, a copy of a written request for a disclosure under §§164.502(a)(2)(ii) or 164.512, if any. *§164.528(b)(2)(iv)*
3. If, during the period covered by the accounting, OSU has made multiple disclosures of PHI to the same person or entity for a single purpose, OSU may provide: *§164.528(b)(3)*
  - a. The information required for the first disclosure of the accounting period; *§164.528(b)(3)(i)*
  - b. The frequency, periodicity, or number of disclosures made during the accounting period and; *§164.528(b)(3)(ii)*
  - c. The date of the last such disclosure during the accounting period. *§164.528(b)(3)(iii)*



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4. If, during the period covered by the accounting, OSU has made disclosures of PHI for a particular research purpose in accordance with §164.512(i) for 50 or more individuals, the accounting may, with respect to such disclosures for which the PHI about the individual may have been included, provide: *§164.528(b)(4)(i)*
  - a. The name of the protocol or other research activity; *§164.528(b)(4)(i)(A)*
  - b. A description, in plain language, of the research protocol or other research activity, including the purpose of the research and the criteria for selecting particular records; *§164.528(b)(4)(i)(B)*
  - c. A brief description of the type of PHI that was disclosed; *§164.528(b)(4)(i)(C)*
  - d. The date or period of time during which such disclosures occurred, or may have occurred, including the date of the last such disclosure during the accounting period; *§164.528(b)(4)(i)(D)*
  - e. The name, address, and telephone number of the entity that sponsored the research and of the researcher to whom the information was disclosed; and *§164.528(b)(4)(i)(E)*
  - f. A statement that the PHI of the individual may or may not have been disclosed for a particular protocol or other research activity. *§164.528(b)(4)(i)(F)*
  
5. If OSU provides an accounting for research disclosures, in accordance with the above section, and if it is reasonably likely that the PHI of the individual was disclosed for such research protocol or activity, OSU shall, at the request of the individual, assist in contacting the entity that sponsored the research and the researcher. *§164.528(b)(4)(ii)*

### PROCEDURE:

To comply with this requirement, the inside back page of the paper medical record shall be used for documentation of disclosures that must be accounted for or the Electronic Health Record for the Patient under Disclosures, or PHI Log. To facilitate this, OSU staff may use preprinted adhesive labels for permanent attachment to the record. Upon a disclosure for which an accounting is required, the individual making the disclosure must enter the relevant data on the form, including the name of the individual making the disclosure for future identification.

The HIPAA Compliance Office shall create the actual list of disclosures for each request.