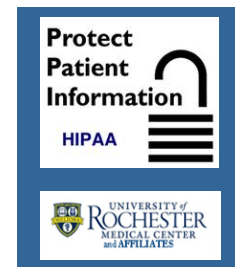


HIPAA HIGHLIGHTS

July 2022



Patients' Right to Access Their Medical Records

Patients have a fundamental right to access their medical records, and HIPAA imposes strict timelines on the response of covered entities such as URM & Affiliates. Enforcing this right has been a priority of the Office of Civil Rights for several years. There have been numerous enforcement actions and fines for delays in responding to these requests.

Know the rules and be sure to process all patient requests promptly! If you have any questions about how to respond, please contact your Privacy Officer or Health Information Management Department as soon as possible. If any concerns arise including patient dissatisfaction, contact your Privacy Officer immediately!

In many cases, the information the patients want to access will already be available in the electronic record's patient portal. If the patient does not have MyChart or if requested information is not available in a portal or requested in a different format, [HIPAA Policy 0P10](#) will apply.

What should I do if I receive a request for medical records from a patient?

You should forward the request to your entity's HIM Department, or Office Manager of a physician practice, within one business day of receiving the request.

What is the scope of the right of access?

The right of access includes the right to inspect or obtain a copy, or both, of an individual's protected health information, as well as to direct the covered entity to transmit a copy to a designated person or entity of the individual's choice. Patients may also specify a format to receive their protected health information, for example paper or electronic, and their request must be honored if we are technically able to do so.

What records may a patient access?

Patients may access records in their "designated record set" which includes but is not limited to clinical notes, lab reports and imaging reports in the electronic medical record that are used to make treatment decisions, as well as billing and insurance information.

Who may request access and how?

The patient or the patient's [personal representative](#) may request access to the patient's medical records. Current inpatients or outpatients at the time of visit may ask to view their medical record. The request and the specific information viewed or copied should be documented. All other patient requests for access to medical records or billing records for patients not currently being seen should be in writing. See [HIPAA Policy 0P10](#).

What is the required timeline for URM & Affiliates to respond to requests for access?

Records must be provided no later than 30 days from the day of the request, and according to Department of Health & Human Services guidance, entities are encouraged to respond sooner if possible. With notice to the patient and for good reason, the period may be extended once for up to an additional 30 days. Access requests to view records must be responded to within 10 days.

May URM & Affiliates deny a request for access?

There are very limited circumstances in which a request may be denied. Anyone contemplating denial of a request should contact their entity's HIM Department or Privacy Office to insure your denial reasons conform to the applicable state or federal rules.

For information on this or other HIPAA-related topics, please refer to [URM's HIPAA Intranet site](#) or contact your [Privacy Officer](#) or [HIPAA Security Official](#).