

**UNIVERSITY OF KANSAS  
WATKINS HEALTH SERVICES  
ADMINISTRATION**

NUMBER: <b>AD-313</b>	ISSUE DATE: <b>2/2003</b>
TITLE: <b>Patient Right to Request Inspection of PHI</b>	REVISED: <b>11/21/12</b>
TITLE OF OWNER: <b>Director</b>	APPROVED: <b>Director</b>

**Purpose:**

Provide each patient with the opportunity to inspect or have copied medical information contained in his/her "designated record set" (DRS) used to make decisions about their medical care at Watkins Health Services (WHS).

**Policy:**

Patients have a right to request to inspect and/or obtain a copy of PHI that is contained within the DRS maintained by the WHS for as long as the PHI is maintained in the DRS. The following requirements must be met:

1. The request must be in writing.
2. A request must be acted upon no later than 30 days after receipt of request.
3. An extension is allowed for no longer than another 30 days if the patient is provided with a written statement of reason for the delay and date when clinic will complete its action on the request. Only one extension will be allowed for each request.

If a request for access is granted:

1. If the PHI is maintained in more than one location, the WHS need only produce PHI once.
2. The PHI must be provided in the form or format requested by patient or produced in a format agreed to by patient and clinic.
3. A summary of PHI may be provided if patient agrees in advance to summary/explanation and is notified in advance of fees that might be imposed.
4. Timely arrangement for inspection or to obtain a copy must be provided.
5. In the case of an inspection, the Records and Registration Supervisor will make the necessary arrangements for WHS employee to be present during the patient's inspection of the record.
6. A fee may be charged for preparing a Summary or explanation of PHI. Fee would include cost of copying (supplies, labor), postage and preparing an explanation or summary of PHI.

If a denial for access is made:

1. Acceptable grounds for denial without opportunity for Review of Decision:
  - Patient not authorized by law to access of PHI
  - Terms of Research Consent deny access to PHI relating to research

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- Content of PHI is subject to Privacy Act
  - PHI was obtained from someone other than a health care provider and access would reveal the source of information.
2. Acceptable grounds for denial with opportunity to Review of the Decision:
    - Health care professional determines that the access requested is likely to endanger life or safety of patient or another person. When it is medically inadvisable to give such information to the patient, the information is provided to a person designated by the patient or to a legally authorized person.
    - PHI makes reference to another person and access is likely to cause substantial harm to that other person.
    - If a personal representative requests access and a health care professional determines access is likely to cause harm to the patient or another person.
  3. Access to PHI after excluding denied information must be made.
  4. WHS must provide a timely written denial to the patient. This denial must:
    - Be written in plain language
    - Contain the basis for denial
    - Indicate patient's right to have the denial reviewed and how to exercise review rights.
    - If requested information is not maintained at the Watkins Health Services, patient must be informed as to where to direct request for access.

**Review of Denial:**

If the patient exercises the right for review of denial for access, WHS will:

- Promptly forward request to WHS Privacy Officer for review.
- Promptly provide written notice to patient of determination of denied review by Privacy Officer.

WHS must accept forwarded amended PHI into our DRS if informed by another entity that amendment was made to their DRS. Documentation must include:

- DRS that is subject to amendment
- Titles of persons/officer responsible for receiving, processing request for amendment by patients
- All correspondence/associated documentation relating to patient request for amendment

**REFERENCES:**

**This document is on file with the KU Policy Library.**  
AD-307 Designated Record Set