

**UNIVERSITY OF KANSAS
WATKINS HEALTH SERVICES
ADMINISTRATION**

NUMBER: AD-315	ISSUE DATE: 3/2003
TITLE: Patient Request to Amend PHI	REVISED: 7/27/16
TITLE OF AUTHOR: Director	APPROVED: Director

PURPOSE:

To facilitate the right of patients to request an amendment to their Protected Health Information (PHI).

POLICY STATEMENT:

Patients have a right to request an amendment of their PHI for as long as this information is maintained at Watkins Health Services (WHS). This is not an absolute right to amend the information but rather the right to *request* an amendment.

PROCEDURE:

Two methods exist by which patients may request an amendment or change to their PHI.

- WHS provides a patient portal that makes certain PHI available for viewing by the patient. If the patient identifies information that is incorrect or not current, there is a "Send Correction" link in the browser window to enable the patient to submit the desired changes.
 - The patient may also submit the request in writing to WHS. Depending upon the complexity, WHS has the option to require the patient to submit the request using the appropriate form, AD-315-1 Request for Amendment of Health Information.
1. Regardless of the method of submission, the request is to be reviewed by the physician of record or the WHS Chief of Staff (COS) in their absence. The decision on acceptability of the request must be provided to the patient within 30 days of receipt of the request.
 2. If the request for amendment is approved, the revisions or addendum to the PHI must be made promptly and within the capabilities of the electronic health record system. If deemed appropriate, form letter AD-315-2 may be used for this notification.
 3. The Registration & Records Department (R&R) is to review past disclosures to identify any that would have included the PHI being amended. If necessary, the amended PHI should be sent to the party receiving the original PHI within a reasonable amount of time. Form letter AD-315-4 should be completed and sent with the files. The same disclosure is made to other parties if requested by the patient.

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4. If the request is **denied**, the patient must be notified in writing. Form letter AD-315-3 may be used. The document must include:
 - The reason for the denial, for example:
 - Information is accurate and complete as-is.
 - Information was not created by WHS
 - Patient's right to submit a written disagreement concerning the denial and how to do so.
 - Patient's right to discuss the denial with WHS, and/or Campus Privacy Official and/or Secretary of Health and Human Services.
 - Patient's right to include the request and denial in any future disclosures of the PHI that is the subject of the request.
5. If the patient submits a written disagreement:
 - 5.1 The document will be reviewed by WHS Privacy Official and the COS.
 - 5.2 The WHS Privacy Officer will prepare a written rebuttal. A copy must be provided to the patient.
 - 5.3 WHS must identify the PHI that is the subject of the disputed amendment and link it to the request, response, disagreement and rebuttal.
6. WHS must accept amendments to a patient's file when received from another entity and is amending information originally obtained from that entity.
7. Effect on future Disclosures
 - All **approved** amendments must be included in future disclosures of the PHI.
 - If a request has been **denied**, a copy of the amendment request and denial will be included in future disclosures only if the patient has requested such action in writing.
 - If a request has been denied and the **patient has submitted a written disagreement**, all documentation of the amendment request process (or an accurate summary) must be included in future disclosures of the PHI to which the disagreement relates.

REFERENCES:

This document is on file with the KU Policy Library.