

# ACCOUNTING OF DISCLOSURES OF PROTECTED HEALTH INFORMATION

**Policy:** The University of Connecticut will provide an accounting of disclosures of protected health information (PHI) made by its HIPAA-Covered Components in the six (6) years prior to the date on which the accounting is requested except for disclosures not required by law.

**Rationale:** To maintain compliance with Title 45 CFR Part 164.528, Accounting of Disclosures of Protected Health Information.

## **I. General Procedures:**

1. The University will provide an accounting of disclosures of PHI made by the University up to six (6) years prior to the date on which the accounting is requested.
2. A request for an accounting of disclosures must be made in writing. It must be signed by the Individual described by the PHI or the Individual's legally authorized representative. The request should identify the Individual using identifiers from the list shown below:
  - a. Name,
  - b. Address,
  - c. Telephone number,
  - d. Clinic/Patient ID number or other client identification number,
  - e. Other identifiers, if applicable, for example: maiden name, date of birth, or dates of care.

The University will normally act on the request within 60 days. If the University is unable to act on the request within 60, the University may extend the time by 30 days. If this extension is needed, the University will send a written statement to the Individual requesting the accounting. This statement will provide the reasons for the extension and the expected date for completion.

3. When preparing an accounting of disclosures, the University will not include disclosures that were made:
  - a. For carrying out treatment, payment and health care operations, unless required by law.

**Note:** Where required by law, when you request a list of disclosure of PHI that is maintained in an electronic health record, the accounting will be for three (3) years prior to the date of the request, and will include disclosures made for the purposes of treatment, payment and health care operations in addition to those disclosures listed in the University's policy regarding accounting of disclosures. To request this list of disclosures, you must submit your request in writing to the HIPAA-Covered Component's Director.

- b. To the individual about their PHI;
- c. In response to valid authorizations for disclosure;
- d. Of data that cannot be associated with a specific individual;
- e. For the facility's directory or to persons involved in the individual's care;
- f. For national security or intelligence purposes;
- g. To correctional institutions or law enforcement officials;
- h. That occurred prior to the compliance date of HIPAA (April 14, 2003).

Note that the University will not disclose PHI that is not part of the Individual's record, that is embedded in psychotherapy notes, or that was collected and held in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding. No accounting from the University will reference PHI from these sources.

- 4. For each disclosure included in the Accounting, the University will note:
  - a. The date of the disclosure;
  - b. The name of the entity or person who received the PHI and, if known, the address of such entity or person;
  - c. A brief description of the PHI disclosed; or
  - d. A brief statement of the purpose of disclosure or a copy of their authorization.
- 5. The University will provide the first accounting requested by an Individual within a 12-month period at no charge. If that Individual requests a second accounting within 12 months, the University may charge a cost-based fee for the accounting. The University will inform the Individual if there will be a charge for the accounting and allow the Individual to withdraw the request prior to incurring charges.
- 6. The University will retain a copy of the request and a copy of the documentation provided to the Individual that includes the title of the person or office responsible for receiving and processing the request for a minimum of six (6) years.