

## **Amendment to Protected Health Information**

**Date:** April 14, 2003

### *Purpose*

To provide guidelines to comply with the HIPAA privacy regulation's requirement to allow patients to request amendments to their protected health information.

### *Policy*

It is the policy of Interventional Pain Care, LLC (IPC) to provide patients the right to request amendments to their protected health information.

### *Definitions*

*Amend:* To add information that clarifies or corrects information in the designated record set.

*Designated Record Set:* Medical and billing records that are used to make health care and payment decisions about patients.

### *Procedure*

1. A patient may request that IPC amend protected health information or a record about the patient in a designated record set for as long as the information is maintained in the designated record set.
2. IPC must act on a patient's request for an amendment within 60 days of receiving the request. If IPC is unable to act on a request within 60 days, it may extend the time frame by no longer than 30 days by providing the patient with a written statement outlining the reasons for the delay and specifying the date by which action on the request will be completed.
3. IPC may require a patient to make a request for an amendment in writing and to provide a reason to support this amendment, provided that it informs the patient in advance of such requirements (The practice can include these requirements in the notice of privacy practices).
4. If IPC accepts the requested amendment, it must make the appropriate amendment to the protected health information or record by identifying the records in the designated record set that are affected by the amendment and by appending or otherwise providing a link to the location of the amendment.
5. IPC must make reasonable efforts to inform and provide the amendment within a reasonable period of time to persons identified by the patient as having received protected health information and as needing the

amendment. IPC must also inform and provide the amendment to business associates who possess the protected health information that is the subject of the amendment.

6. If IPC] is informed by another covered entity (for example, another physician's office) of an amendment to a patient's protected health information, IPC must amend the protected health information in designated record sets that it maintains.
7. IPC may deny a patient's request for an amendment if it determines that the protected health information or record that is the subject of the request meets any of the following conditions:
  - It was not created by IPC, unless the patient provides a reasonable basis to believe that the originator of protected health information is no longer available to act on the requested amendment;
  - It is not part of the designated record set;
  - It would not be available for inspection under the regulation; or
  - It is accurate or complete.
8. If IPC denies a request for an amendment, IPC must provide the patient with a denial written in plain language that contains the following:
  - The basis for the denial;
  - An explanation of the patient's right to submit a written statement disagreeing with the denial and instructions on how the patient may file such a statement;
  - A statement that, if the patient does not submit a statement of disagreement, the patient may request that IPC provide the patient's request for an amendment and the denial along with any future disclosures of the protected health information; and
  - A description of how the patient can file a complaint.
9. IPC may prepare a written rebuttal to the patient's statement of disagreement. IPC must provide a copy of the rebuttal to the patient who submitted the statement of disagreement.