

ZÖe Center for Pediatrics and Adolescent Health, LLC

INDIVIDUAL'S RIGHT TO ACCESS

In compliance with the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) ZÖe Pediatrics have put in place and implemented policies and procedures to safeguard patients' Right to Access and Obtain their health information. 45 C.F.R. §164.524

Policy

It is the policy of ZÖe Pediatrics to honor a patient's right of access to inspect and obtain a copy of their protected health information (PHI) in ZÖe Pediatrics designated record set, for as long as the PHI is maintained in compliance with HIPAA and ZÖe Pediatrics retention policy.

Procedures

A patient must make a request to a staff member to access and inspect their protected health information. This request must be made in writing and documented on either the "Authorization for Disclosure" form or in the notes of the patient's health record. This document must identify the designated person and where to send the PHI.

Determination of accessibility of the information shall be based on:

Availability of protected patient information (i.e., final completion of information, patient portal activation, long term storage, retention practices, etc.)

The organization must act within a reasonable period of time or within 30 days after receipt of the request when the PHI is on-site, and within 60 days when the PHI is off-site. One 30-day extension is permitted if the organization provides the patient with a written statement of the reasons for the delay and the date by which the access request will be processed.

The organization must retain the designated record sets subject to access, and the titles of persons or offices responsible for receiving and processing requests for access.

Access, Inspection and/or Copy Request is Granted

The patient and the organization will arrange a mutually convenient time and place for the patient to inspect and/or obtain a copy of the requested PHI. Inspection and/or copying of PHI will be carried out within the organization with staff assistance. If the patient chooses to receive a copy of

PHI through their patient portal account upon activation. The patient may request that the copies be mailed or faxed.

If the patient chooses to print their own information, the organization may offer to provide the records on a CD.

The organization may charge a reasonable fee for the postage and production of copies or a summary of PHI, if the patient has been informed of such charge and is willing to pay the charge.

If upon inspection of the PHI the patient feels it is inaccurate or incomplete, the patient has the right to request an amendment to the PHI. The organization shall process requests for amendment as outlined in additional organizational policy/procedures addressing this patient's right.

Access, Inspection and/or Copy Request is denied in Whole or in Part

The organization must provide a written denial to the patient. The denial must be in plain language and must contain:

- The basis for the denial.
- A statement, if applicable, of the patient's review rights; and
- A description of how the patient may complain to the organization or to the Secretary of Health and Human Services.

If access is denied because the organization does not maintain the PHI that is the subject of the request, and the organization knows where that PHI is maintained, the organization must inform the patient where to direct the request for access.

HIPAA requires release of information in the designated record set. HIPAA does not allow patient access to psychotherapy notes and information compiled in the PHI. The organization will offer the patient 24/7 access to their medical record, reasonable anticipation of, or for use in, a civil, criminal, or administrative

proceeding as long as that data it is maintained outside the designated record set.

The patient must initiate the review of a denial by making a request for review to the organization. If the patient has requested a review, the organization must provide or deny access in accordance with the determination of the reviewing professional, who will make the determination within a reasonable period of time.

Complaints

If you are concerned that we have violated your rights to access, inspect and obtain or records, or if you disagree with a decision we made about your records, you may contact the number listed below. You also may send a written complaint to the U.S. Department of Health and Human Services. The person listed below will provide you with the appropriate address upon request. You will not be penalized in any way for filing a complaint.

Contact Person

If you have any questions, requests, or complaints, please contact:

Lucy Chaney, Director of Compliance
706-938-0990

Compliance@zoepeds.com

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