1.0 PURPOSE

The purpose of the University of Mississippi Medical Center (UMMC) Patient’s Request to Amend their Protected Health Information (PHI) Policy is to ensure that individuals are provided a right to request amendments to their PHI. The Office of Integrity and Compliance will coordinate with the Department of Risk Management and any other necessary staff or departmental service in order to receive and process amendment requests by individuals.

2.0 SCOPE

The UMMC Patient’s Request to Amend their PHI Policy applies to any individual requesting that an amendment be made to his/her PHI.

3.0 STANDARDS

3.1 UMMC’s Policy concerning requests for amendment(s) is as follows:

- UMMC does allow individuals (patients) to request that amendments be made to his/her PHI. UMMC is not required to agree to the request.
- In cases where the individual’s request is denied, UMMC allows the individual to submit to UMMC a statement of disagreement.
- If the individual does not submit a statement of disagreement, the individual is still allowed the right to request in writing that UMMC provide the denial with any future disclosures of PHI that is the subject of the amendment.
- In cases where the individual does submit a statement of disagreement, UMMC has the right to prepare a rebuttal statement in response to the individual’s statement of disagreement. If asked by the individual, UMMC may or may not link the individual’s request, UMMC’s letter of denial, the individual’s statement of disagreement, if any, and the covered entities rebuttal, if any, to the PHI subject to the request.
3.2 Making a Request:
An individual may make a request for amendments in writing at anytime. If the request is made while the individual is a patient in the hospital, the written request should be forwarded by the nursing staff, social worker or other UMMC personnel involved in the patients care to the Office of Integrity and Compliance.

Valid requests must, at a minimum:
- Identify the specific PHI to which the individual desires a change;
- Specify the reason for the requested change; and
- Provide the information that the individual believes to be correct (i.e. if a patient’s age is misstated in a record and the patient requests that it be corrected, the patient must supply us with the correct age).

3.3 Timely action by UMMC:
UMMC will act on the individual’s request for an amendment no later than 60 days after receipt of such a request. If during the 60 days it is determined that additional time is needed in order to respond to the request, UMMC must provide the individual with a written statement of the reasons for the delay and the date by which UMMC will complete its action on the request. The extension will not exceed 30 days from the date of the written statement for which the extension is made.

3.4 Reviewing the request:
RM will review the PHI that the individual wants to be amended and make a decision on whether or not UMMC should agree to the amendment, using the guidelines in 3.5 below.
3.5 Guidelines for making a decision:
The following are grounds on which UMMC may base a denial of a request:

- If it is found that the PHI subject to the amendment was not created by UMMC, unless the individual provides a reasonable basis to believe that the originator of the PHI is no longer available to take action on the requested amendment;
- The PHI subject to the amendment is found not to be part of UMMC's designated record set;
- The PHI subject to the amendment is not available for inspection under HIPAA (i.e. information is involved in a legal claim and etc); and
- The PHI is determined to be accurate and complete and does not warrant a change.

3.6 Informing those person(s) or entities identified by either UMMC or the patient as needing the corrected PHI:

- If UMMC agrees to an amendment, UMMC must identify persons, including business associates that UMMC knows have the PHI that is the subject of the amendment and that may have relied or could foreseeably rely on such information to the detriment of the individual. UMMC must then obtain authorization from the individual to provide the amendment within a reasonable time to those identified.
- UMMC must also allow the individual a chance to identify persons whom the individual feels should be provided the amendment. In cases where the individual does identify persons who need the amendment, UMMC should obtain authorization from the individual to provide the amendment to the person(s).
- Documentation must be kept to show who was provided the amendment.
Policy Name: Patient Requests to Amend their PHI Policy

Category: HIPAA Privacy

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4.0 CONTACT INFORMATION

For questions about the UMMC Patient’s Request to Amend their PHI Policy or for more information, call the Office of Integrity and Compliance at 815-3944.