PURPOSE:
To provide a standard process for release of PHI in the Health Information Services department.

SCOPE:
Asante Health Information Services (HIS).

POLICY:
HIS is responsible to process all releases of PHI for ATRMC, AACH, ARRMC, and APP legal requests to include Attorney, Subpoenas, Court orders, Workers Compensation, Disability Claims, and Insurance assault or injury claims request. All releases of PHI will be in compliance with Asante policy 400- IS-HIS-0010, Patent Right to Access, Release/Disclosure of PHI.

PROCEDURE:
Upon receipt, the request it is reviewed to determine if all required elements to the request or authorization is included. It is then entered into the Epic ROI module. All requests are to be entered within 48 hours of receipt. If the request/authorization is not valid the ROI staff will call and/or send a letter with a detailed explanation of why we cannot process the request.

ROI staff will check Epic for any FYI flags to determine if there are any release restrictions, revoked authorizations or any other special instructions before processing a request. If the requested information cannot be released to the requester, a letter will be sent notifying the requester. If the request can be fulfilled with the exclusion of specific items the request will be fulfilled.

Requests that require pre-payment will be completed, invoice will be generated, and sent out to the requesting party, the release will be put on hold in the ROI module awaiting payment. The staff will monitor the pre-payment work queue, and after payment has been received they will send out the requested records.

Request will be processed on a first in first out basis while ensuring mandated timelines for completion are met. Timeline is determined based on regulations and the type and/or reason for the request. The requests are processed using the ROI work queues. The staff will monitor the work queues and start with the oldest request first.

All patients’ request will be completed within 30 days. If additional time is required the patient will be notified.
Patient request by individuals, not in person, must be in writing using valid authorization or signed request to disclose medical records. ROI staff must verify the identity of the person requesting the information by comparing the signature on the form, address, telephone number, and date of birth. If they information cannot be verified a request for photo ID will be made to the patient.

Walk in patient request will not be fulfilled while the patient waits as this makes meeting mandated timelines impossible. The patient will be provided forms and assistance in completing the forms as necessary. ROI staff at this time will verify identity by requesting a copy of the patient’s photo ID. Emergency request will be considered based on need and ability to accommodate. My Chart accounts will be offered to all patients who present to the department with the option to receive a copy of their record directly into their My Chart account. Request to have records sent to My Chart will be processed within 7 days.

Subpoenas will be reviewed verifying all required information is correct and will be complete within 14 days. Urgent request will be processed on a case by case basis.

Workers Compensation requests will be reviewed verifying all required information is correct and will be complete within 14 days.

A copy of the request and authorizations will be maintained for a minimum of 7 years. All documents associated with the request that are electronic are stored in Epic associated with the patient record. All older documents that are in paper format are logged in Epic, and stored in the paper record.

A PDF copy of the documents released will be saved for 12 months on the department drive on the network. For a legal request the PDF copy will be saved indefinitely to the ROI Subpoena folder on the L: drive.

Printing of records onto paper will be avoided where possible. Requesters will be encouraged to accept electronic copies of records. Records can be provided electronically by email, on a DVD or USB drive or to a My Chart account. Request being faxed will be done using the automated fax system available for use in the Epic ROI module. ROI staff will be allowed to upload records to approved company FTP sites.

**DOCUMENTATION:**

400-HIS-0021ES Request for Medical Records
400-HIS-0002ES Authorization to Release a Copy of Medical Records

**REFERENCES:**

45 CFR §164.514 (d)(iii)(A), §164.502 (g), §164.514 (h), §164.512 (b)(d)(j)(k)(l), 45 CFR §164.524(a-d); 45 CFR §164.514 (d)(3)(iii)(A), §164.502 (g), §164.514 (h), §164.512 (b)(d)(j)(k)(l); 45 CFR §164.506(a), 45 CFR §164.002, ORS 192.573, ORS 192.553 ORS Chapter 113, OAR 333-505-0050
### CONTROLLED UNLESS PRINTED

#### SUBMITTED BY:

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<thead>
<tr>
<th>Name / Position</th>
<th>Date</th>
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<tbody>
<tr>
<td>Phillip Koenig, Compliance Staff Assistant III</td>
<td>02/08/2018</td>
</tr>
<tr>
<td>Lori Richardson, Asante Quality Management Analyst (submitted online)</td>
<td>02/09/2018</td>
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<tr>
<td><strong>Required: Subject Matter Expert (SME)</strong></td>
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<tr>
<td>Sandy Stevens, Asante Director of Health Information Services</td>
<td>02/06/2018</td>
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#### REVIEWED BY:

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<tr>
<th>Name / Position</th>
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<tr>
<td>Jeannie Warren, Health Information Services Supervisor</td>
<td>02/08/2018</td>
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#### REVISIONS/SUMMARY OF CHANGES:

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<tr>
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<th>Revision Description</th>
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<tr>
<td>02/06/2018</td>
<td>New procedure</td>
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