

The University of Iowa
HIPAA Privacy Rule
Policies and Procedures

CORRECTIONS AND AMENDMENTS TO RECORD

Purpose: To define the process for responding to requests from patients and/or patient's representatives to correct or amend the Protected Health Information (PHI) in the record and to advise staff on how to respond to requests to correct or amend the record.

Policy: It is the policy of the University of Iowa to allow patients or their legal representatives to request amendments to the PHI contained in the health record.

Procedure:

- If a patient feels a correction should be made, the patient should be referred to the principal health care provider.
- Care providers should exercise professional judgment and determine whether that correction or amendment is appropriate.
- If the care provider agrees with the amendment to the record, the change should be made.
- If the care provider does not agree with the request, believes it should be denied, or does not wish to make the correction, the provider should ask the patient to submit the request, in writing, on the "Request for Correction/Amendment" Form.
- This form should be submitted to the Clinic administrator who will work with the University Privacy Officer and others, as needed, to resolve the issue.

Response to Request for Amendment:

The clinic administrator (or designee) must respond to requests for amendment no later than 60 days after receipt of the request. A one-time extension up to 30 days may be granted as long as the patient or the legal representative is provided with a written statement of the reason for the delay.

- **Denial of Amendment.**
The patient's request for amendment may be denied if it is determined that the PHI or record created by the U of I unit is accurate and complete.
 - A statement documenting the denial will be appended to the patient's medical record.
- **Making the Amendment.**
 - If the amendment is accepted, the clinic administrator (or designee) must make the amendment by designating the records that are affected and attaching or providing a link to the location of the amendment.
 - The patient or the legal representative must be informed in a timely manner that the amendment has been accepted and the names of persons with whom the amendment must be shared must be obtained.

- Reasonable efforts must be made to provide the amendment to persons identified by the patient or their legal representative and/or persons who may have relied or could foreseeably rely on the information to the detriment of the patient.
- **Statement of Disagreement; Rebuttal statement.**
 - A patient or their legal representative may submit a written statement disagreeing with the denial or a requested amendment.
 - This statement may be limited in length.
 - A rebuttal may be prepared to such a statement.
 - Such statements will be appended to the record.
- **Future Disclosures.**
 - If a statement of disagreement has been submitted, future disclosures will include the appended material, or if appropriate, an accurate summary of such information with any subsequent disclosure of PHI to which this disagreement relates.
 - If no statement of disagreement has been submitted, future disclosures will include the patient's request for amendment and denial of such only if the patient or their legal representative requests.

*** Definition of Protected Health Information (PHI):**

Individually identifiable health information transmitted or maintained in any form or medium, including oral, written and electronic. Individually identifiable health information relates to an individual's health status or condition, furnishing health services to an individual or paying or administering health care benefits to an individual. Information is considered PHI where there is a reasonable basis to believe the information can be used to identify an individual.

Reference: 45 C.F.R. §164.526, §164.524