

**TEXAS ASSOCIATION OF COUNTIES
HEALTH AND EMPLOYEE BENEFITS POOL
HIPAA POLICIES**

**REQUEST FOR AN ACCOUNTING OF DISCLOSURES
OF PROTECTED HEALTH INFORMATION**

Effective Date: March 17, 2003

POLICY

Participants have the right to request an accounting of any disclosures of their Protected Health Information ("PHI") that were for purposes other than treatment, payment, health care operations or other exceptions specified in the Privacy Rule.

PROCEDURE

- Effective **April 14, 2003**, Texas Association of Counties Health and Employee Benefits Pool (HEBP) will provide an accounting of disclosures of a participant's PHI for up to six (6) years prior to the date of the participant's request.
- The Health Plan does not provide an accounting of disclosures made for the following purposes:
 - pursuant to an authorization the individual has signed;
 - that are incidental to another permissible use or disclosure;
 - that are part of a limited data set:
 - made for the purposes of payment or health care operations, including those made to business associates;
 - made to the individual who is the subject of the information;
 - made for national security or intelligence purposes;
 - made to correctional institutions or law enforcement officials; and
 - made prior to April 14, 2003 (the compliance date of the Privacy Rule).
- When a request for an accounting of disclosures of PHI is received, it will be processed within sixty (60) days. If necessary, this time frame may be extended for thirty (30) days. The participant requesting the accounting will be informed in writing, within sixty (60) days of the original request, of the

reason(s) for the delay and the date by which action will be taken upon the request.

- A participant may receive an accounting of disclosures once during any twelve (12) month period for no charge.
- If a participant requests more than one accounting within the same twelve (12) month period, a reasonable, cost-based fee may be charged by HEBP. The participant will be informed of the fee in advance and will be provided the opportunity to modify or withdraw the request in order to avoid or reduce the fee.
- The accounting for each disclosure includes:
 - The date of the disclosure;
 - The name of the entity or person to whom the disclosure was made and their address (if known);
 - A brief description of the PHI disclosed;
 - One of the following:
 - A brief statement of the purpose of the disclosure; or
 - A copy of the written request for the disclosure from United States Department of Health and Human Services or from the appropriate entity.
- If the accounting includes multiple disclosures to the same person/entity for a single purpose, the accounting will include only the frequency or number of disclosures and the date of the last disclosure made during the accounting period for all disclosures after the first disclosure.
- HEBP maintains the information that is required to be included in an accounting of PHI for six (6) years from the date of its creation or the date when it was last in effect, whichever is later.
- Written accountings provided to individuals in response to a request are maintained for six (6) years from the date of the creation or the date when it was last in effect, whichever is later.
- HEBP maintains the titles of the persons/offices responsible for receiving and processing requests for an accounting for a period of six (6) years.