

Officer | Owner: Chief Compliance & Privacy
Officer, UCR SOM

Origination: 06/2013

Area: 02 – Regulatory Compliance

Last Revised: 11/2024

950-02-041 - Accounting of Disclosures

I. Policy Summary

The Health Insurance Portability and Accountability Act's (HIPAA) Privacy Rule requires covered entities to provide an accounting of certain disclosures of Protected Health Information when requested to do so by a patient/patient's personal representative. This Policy describes the Protected Health Information (PHI) disclosures UCR Health will track, how individuals may request an accounting, and the time frame for UCR response to an accounting request.

II. Definitions

- A. "HIPAA Privacy Rule" – refers to the regulations at 45 CFR Part 160 and Subparts A and E of Part 164
- B. "Protected Health Information (PHI)" - any individually identifiable health information that:
 - 1. Was created or received by a health care provider, employer or clearing house;
 - 2. Relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to the individual; or the past, present, or future payment for provision of health care to the individual;
 - 3. Identifies the individual, or is reasonably believed could identify the individual; and
 - 4. Is transmitted or maintained in any form or medium.

See the HIPAA Privacy Rule for capitalized terms used in this Policy that are not listed above.

III. Policy Text

A. General

UCR Health will have procedures in place for tracking disclosures of Protected Health Information ("PHI") in order to provide its patients with a timely accounting of disclosures of their PHI in compliance with the HIPAA Privacy Rule. See 45 CFR 164.528.

B. Accounting Period

An accounting of disclosures can be requested for less than, but not more than, six years prior to the date on which the accounting is requested. Disclosures that are made by a Business Associate that fit the required reporting requirements must also be included in the accounting.

C. Covered Disclosures and Exceptions

- 1. An accounting furnished under this Policy will include all UCR Health disclosures of the requestor's PHI, subject to the exceptions below in section C.2.
- 2. Exceptions to the required tracking of disclosures include disclosures:
 - a. Made to carry out treatment, payment and healthcare operations.
 - b. To the individual patient or individuals involved in the patient's care.
 - c. Pursuant to a valid authorization signed by the patient or their personal representative for release of the medical information.
 - d. For facility directory or notification purposes to family members, relatives and friends.

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- e. That are permitted incidental uses and disclosures
- f. To federal officials for the conduct of national security or intelligence purposes.
- g. As part of a limited data set so long as a data use agreement is in place.
- h. To correctional institutions or law enforcement officials when disclosure is made for the treatment of the patient, the health and safety of others at the institution, or individuals who are transporting an inmate.
- i. For disaster relief purposes.
- j. Made 6 or more years prior to the date of the request for the accounting.

D. Requests and UCR Health Response

1. The requesting individual must provide UCR Health with a written request for an accounting of disclosures. A request form that may be used is attached as Appendix A. It will be the responsibility of the disclosing department to document disclosure of PHI, per the guidelines in this policy. The Health Information Management department is responsible for providing an accounting of all disclosures exclusive of disclosures for research purposes, which will be the responsibility of the U.C. Riverside Institutional Review Board (IRB).
2. UCR Health shall temporarily suspend an individual's right to an accounting of disclosures to a health oversight agency or law enforcement official if:
 - a. The officials provide UCR Health with a written statement that the accounting to the individual could reasonably impede the agency's investigation and provides for a time limit to the suspension of the accounting; or
 - b. If the statement is made orally, UCR Health documents the statement, identifies the official making the statement, limits the suspension of the accounting to no more than 30 days unless a written statement is subsequently submitted during the 30 days.
3. UCR Health must respond to the written request for accounting within 60 days of receipt of the request. If UCR Health is unable to provide the accounting within 60 days, a one-time delay of 30 days may be requested by providing the individual with a written statement of the reasons for the delay and the date when the accounting will be provided.
4. The accounting of disclosure must include:
 - a. The date of disclosure.
 - b. The name of the entity or person who received the PHI and, if known, the address of such entity or person.
 - c. A brief description of the PHI disclosed.
 - d. A brief statement of the purpose of the disclosure that reasonably informs the individual of the basis for the disclosure or a copy of a written request for disclosure.
 - e. If there have been multiple disclosures of the individual's PHI to the same person or entity for a single purpose, the accounting may include the information required for the first disclosure, date of the last disclosure and the number of disclosures made during the accounting period.

E. Fees

UCR Health must provide the first accounting in any 12-month period to an individual at no charge. UCR Health may charge a fee for subsequent requests from the same individual if UCR Health advises

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the individual in advance of the fee and provides the individual with an opportunity to withdraw or modify the request in order to reduce or avoid a fee.

IV. Responsibilities

Compliance Advisory Services and UCR Health Information Management/ROI Coordinator

V. Procedures

Roles and Process of Maintaining Accounting of Disclosures and Responding to Disclosure Requests

A. Disclosing Department

Applicable disclosures of PHI must be tracked for accounting purposes. The primary repository should be the UCR Health electronic health record.

B. ROI Coordinator/ Health Information Management department

1. Upon receipt of a written request for accounting of disclosures, the ROI Coordinator shall work with the electronic health record analyst to obtain the applicable report and review the report against current regulatory requirements.
2. Unauthorized disclosures of patient information, as identified by the Compliance and Privacy Officer, shall be included in the report.
3. The ROI Coordinator shall provide the accounting to the requesting individual in coordination with Compliance Advisory Services.
4. If the accounting cannot be compiled within 60 days of the patient request, the patient shall be notified in writing to extend UCR's reply for an additional 30 days. The notice shall include a statement of the reason for the delay. The accounting shall not be delayed beyond the 30 days extension.

VI. Forms/Instructions

Appendix A - Request for Accounting of Disclosures

VII. Revision History

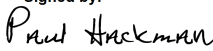
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VIII. Approvals:

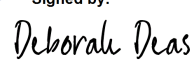
Compliance Committee: 11/05/2024

Signed by:

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4/7/2025 | 5:04 PM PDT

PAUL HACKMAN, J.D., L.L.M.
CHIEF COMPLIANCE AND PRIVACY OFFICER,
SCHOOL OF MEDICINE

DATE

Signed by:

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4/7/2025 | 6:07 PM PDT

DEBORAH DEAS, M.D., M.P.H
VICE CHANCELLOR, HEALTH SCIENCES
DEAN, SCHOOL OF MEDICINE

DATE

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APPENDIX A

Request For An Accounting Of Disclosures

Name: Date of Birth: Date:

I would like an accounting of how my protected health information was disclosed by UCR Health, as required by federal regulations. I understand that UCR Health does not have to tell me about the following type of disclosures:

- Disclosures for purposes of treatment, payment, and healthcare operations
- Disclosures to me or authorized by me
- Disclosures for use in the hospital's directory (if I was admitted as an inpatient)
- Disclosures to persons involved in my care
- For national security or intelligence purposes
- To correctional institutions or for certain law enforcement purposes
- Disclosures that are part of a limited data set
- Disclosures for disaster relief purposes
- Disclosures made more than 6 years from the date of this request
- Disclosures incident to a use or disclosure otherwise permitted or required by federal law

I also understand that my right to an accounting of some or all disclosures may be suspended by the government or law enforcement under limited circumstances.

I want an accounting of disclosures that covers the following time period:

From: To:

I want the accounting of disclosures in the following form:

☐ On paper

☐ Electronically

☐ Please send my accounting to the following address:

☐ I want to pick up the accounting. Please call the following phone number when it is ready:

I understand that UCR Health must give me the accounting of disclosures within 60 days, or tell me that an extra 30 days (or less) is needed to prepare it. I am entitled to a free accounting of disclosures in any 12 month period.

Signature of patient or representative: Date: Relationship to patient (if representative):

Forward to: UCR Health Compliance Advisory Services 900 University Avenue Riverside, CA 92521 Medical Education II Building, 5th Floor.