

Patient Rights

Confidentiality

The confidential maintenance of medical records is assured by strict compliance with state and federal laws. Access to information kept in patient records is limited to authorized staff at Arcadia Well Woman. No information will be released without the patient's written consent, except as designated within the HIPPA regulations.

Individual's Rights

Restrictions in Disclosure Authorization (§164.522)

Individuals have the right to ask that covered components limit the use and disclosure of the individual's protected health information. It is the policy of Arcadia Well Woman to consider each request carefully. However, the practice is not required to accept the request and should not do so if the requested restriction(s) cannot be tracked and enforced. If the covered component accepts an individual's request, any limits must be agreed to in writing and Arcadia Well Woman is legally obligated to comply with agreed restrictions except in emergency situations where the information is needed. An individual may not limit the uses and disclosures that Arcadia Well Woman is legally required to make.

Access to Records (§164.524)

Individuals have the right to access their records, and the covered component must grant access to (or copies of) the designated record set within 30 days from receipt of the individual's written request. However, individuals do not have a right of access to: 1) psychotherapy notes; 2) information compiled in reasonable anticipation of, or for use in, a civil, criminal or administrative action; 3) PHI protected by the Clinical Laboratory Improvements Amendments of 1988. In some very limited circumstances, the covered component may deny the request, but must notify the individual of the denial in writing within 30 days from receipt of the individual's written request. Some grounds for denial are non-reviewable (including the three exceptions listed above), but other denials are reviewable (including a denial based on a licensed healthcare professional's determination that access to the records would endanger the life or physical safety of an individual or another person). If the denial is on a reviewable ground, the individual may request review by an independent healthcare official designated by Arcadia Well Woman to act as a reviewing official, and Arcadia Well Woman is bound by the reviewing official's decision.

Copy charges may be applied as permitted by Arizona statute. Certain other reasonable charges are permitted, including postage if the individual requests the information to be mailed, and expenses associated with preparing an explanation or summary of the PHI if the individual requests such information and agrees to pay the costs associated with it.

Right to Amend (§164.526)

Individuals have the right to request an amendment to their protected health information, and the covered component must respond within 60 days of a receipt of written request for amendment by the individual. The covered component does not have to accept the request for amendment if protected health information is:

1. correct and complete;
2. not created by Arcadia Well Woman;
3. not allowed to be disclosed;
4. not part of Arcadia Well Woman's records.

The covered component must notify the individual in writing of the denial within 60 days of a receipt of written request for amendment by the individual. The written denial must state the reasons for the denial and explain that the individual has the right to file a written statement of disagreement with the denial. The individual may also request that the request for amendment and the written denial be attached to all future disclosures of the individual's protected health information. If an amendment is made, the covered

component must make the change to the individual's protected health information, advise the individual in writing that the change has been made, and notify other healthcare providers or covered entities with whom the covered component has given protected health information.

Accounting of Disclosures (§164.528)

Individuals have the right to obtain an accounting of all disclosures of their protected health information after April 14, 2002, except for the following disclosures: treatment, payment and healthcare operations; disclosures to the individual or authorized by the individual; disclosures in a limited data set, and disclosures to person's involved in the individual's care. The accounting must be for a period up to six (6) years prior to the date the accounting is requested; provided however, that the covered entity is not required to account for disclosures which occurred prior to the effective date (April 14, 2003).