

	Ethics & Compliance Department	
	Policy No.: 33	Created: 01/2018
		Reviewed: 09/2024
	Revised:	

HIPAA: ACCOUNTING OF DISCLOSURES

SCOPE:

All Envision Healthcare teammates. For purposes of this policy, all references to “teammate” or “teammates” include temporary, part-time and full-time employees, independent contractors, clinicians, officers and directors.

PURPOSE:

Envision Healthcare Operating, Inc. and its subsidiaries and affiliates (“Envision” or “the Company”) has adopted this Accounting of Disclosures policy to identify the patient’s right to request an accounting of disclosures of his/her medical record.

POLICY:

- A) A patient has the right to receive an accounting of disclosures of PHI made by the Company in the six (6) years prior to the date on which the accounting is requested, except for disclosures:
 - (1) To carry out treatment, payment, and health care operations;
 - (2) To patients of PHI about them;
 - (3) For national security or intelligence purposes; or
 - (4) To correctional institutions or law enforcement officials.

- B) The Company will temporarily suspend a patient’s right to receive an accounting of disclosures to a health oversight agency or law enforcement official for the time specified by such agency or official. Such agency or official must provide the Company with a written or verbal statement that such an accounting to the patient would be reasonably likely to impede the agency’s activities and specifying the time for which such a suspension is required. If the agency or official statement is made orally, the Company will:
 - (1) Document the statement, including the identity of the agency or official making the statement;
 - (2) Temporarily suspend the patient’s right to an accounting of disclosures subject to the statement; and

	Ethics & Compliance Department	
	Policy No.: 33	Created: 01/2018
		Reviewed: 09/2024
	Revised:	

(3) Limit the temporary suspension to no longer than thirty (30) days from the date of the oral statement, unless a written statement is submitted during that time.

C) A patient may request an accounting of disclosures for a period of time less than six (6) years from the date of the request.

Provision of Accounting Disclosures

A) The Company will act on the patient’s request for an accounting, no later than sixty (60) days after receipt of such a request. The Company will provide the patient with the accounting requested, or if unable to provide the accounting within the time required, the Privacy Official may extend the time to provide the accounting by no more than thirty (30) days, provided that the Company, within sixty (60) days after receipt of a request, provides the patient with a written statement of the reasons for the delay and the date by which the Company will provide the accounting. The Company may have only one such extension of time for action on a request for an accounting.

B) The Company will provide the first accounting to a patient in any 12-month period without charge. The Company may impose a reasonable, cost-based fee for each subsequent request for an accounting by the same patient within the 12-month period. The Company will inform the patient in advance of the fee and provide the patient with an opportunity to withdraw or modify the request for a subsequent accounting in order to avoid or reduce the fee.

C) The Company will document the titles of the persons or offices responsible for receiving and processing requests for an accounting by patients. All documentation, including requests for accounting, denials, and the written accounting, provided to the patient will be retained for six (6) years from the date of document creation or the date it last was in effect, whichever is last.

D) If the Company determines that it must exclude PHI from an accounting of disclosures for any of the reasons described in Policy 33 - Requests and Documentation of Accounting Disclosures, the Company will provide a timely, written explanation to the patient. The explanation will be in plain language and contain:

(1) The basis for the exclusion; and

(2) A description of how the patient may complain to the Company or to the Secretary of the U.S. Department of Health and Human Services for failure to comply with the patient’s request, in whole or in part. The description must include the name or title and telephone number of a contact person or office related to privacy and security.

	Ethics & Compliance Department	
	Policy No.: 33	Created: 01/2018
		Reviewed: 09/2024
	Revised:	

Content of Accounting Disclosures

- A) The accounting must include for each disclosure:
- (1) The date of the disclosure;
 - (2) The name of the entity or person who received the PHI and, if known, the address of such entity or person;
 - (3) A brief description of the PHI disclosed; and
 - (4) A brief statement of the reason of the disclosure that reasonably informs the patient of the basis for the disclosure.
- B) If, during the period covered by the accounting, the Company has made multiple disclosures of PHI to the same person or entity for a single purpose, or pursuant to a single authorization for use or disclosure, the accounting may provide:
- (1) The information required for the first disclosure during the accounting period;
 - (2) The frequency, periodicity, or number of the disclosures made during the accounting period; and
 - (3) The date of the last such disclosure during the accounting period.
- C) List of Exempt Disclosures (Accounting does not have to include disclosures made for below purposes):
- (1) Treatment, payment, or healthcare operations;
 - (2) Disclosures to the patient or the patient's personal representative;
 - (3) Disclosures authorized by the patient or the patient's representative;
 - (4) To notify family members or to assist family and other persons involved in the patient's care;
 - (5) For national security intelligence;
 - (6) To correctional institutions or law enforcement authorities that have custody of the patient;
 - (7) Disclosures involving de-identified information.

	Ethics & Compliance Department	
	Policy No.: 33	Created: 01/2018
		Reviewed: 09/2024
	Revised:	

POLICY REVIEW

The Ethics & Compliance Department will review and update this Policy, when necessary, in the normal course of its review of the Company’s Ethics & Compliance Program.