

## **RESIDENT'S RIGHT TO OBTAIN AN ACCOUNTING OF DISCLOSURES OF THEIR PROTECTED HEALTH INFORMATION**

### **POLICY**

Lasata Senior Living Campus shall, upon request, provide residents with an accounting of disclosures of **protected health information** made by Lasata Senior Living Campus in the six years prior to the date the request for accounting of disclosures is received or for a lesser period of time if a disclosure for the full six years is not requested, including disclosure to or by business associates of the covered entity. An accounting of disclosures will not be provided when the disclosure was:

- To carry out treatment, payment or health care operations;
- To residents of protected health information about them;
- Incident to a use or disclosures otherwise permitted or required;
- Pursuant to an authorization signed by the resident;
- For the facility's directory;
- To persons involved in the resident's care;
- For notification purposes including identifying and locating a family member;
- For national security or intelligence purposes;
- To correctional institutions or law enforcement officials;
- As part of limited data set pursuant to a limited data set agreement signed by Lasata Senior Living Campus and the recipient of the limited data set in compliance with HIPAA.

## **PROCEDURE**

### **INSTRUCTIONS FOR REQUESTS FOR ACCOUNTING OF DISCLOSURES OF PROTECTED HEALTH INFORMATION**

- The Lasata Senior Living Campus' notice of Privacy shall advise residents of their right to receive an accounting of disclosures of their protected health information.
- A request by a resident for an accounting of disclosures of protected health information may be made orally or in writing. The form titled REQUEST FOR ACCOUNTING OF DISCLOSURES is available to residents for this purpose at Lasata Senior Living Campus' Reception Desk and online at [www.lasatacampus.com](http://www.lasatacampus.com). If the request is made orally, it shall be documented by a staff member on the REQUEST FOR ACCOUNTING OF DISCLOSURES form.
- A request for Accounting of Disclosures shall be mailed or delivered to Medical Records Office, Lasata Senior Living Campus, W76 N677 Wauwatosa Rd, Cedarburg, WI 53012.

### **INSTRUCTIONS FOR PROCESSING REQUESTS FOR ACCOUNTING OF DISCLOSURES OF PROTECTED HEALTH INFORMATION**

- Requests for accounting of disclosures shall be date stamped and submitted to the Medical Records Office for processing.
- Lasata Senior Living Campus will provide a written accounting of disclosures for the previous six years, or a shorter period of time if indicated in the request, that includes all of the following:
  1. The date of the disclosure;
  2. The name of the entity or person who received the protected health information and the address of such entity or person;
  3. A brief description of the protected health information disclosures; and
  4. A brief statement of the purpose of the disclosure that reasonably informs the resident of the basis for the disclosure or, in lieu of such statement, a copy of a written request for a disclosure.
  5. If multiple disclosures of protected health information has been provided to the same resident or entity for the single purpose of

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determining Lasata Senior Living Campus' compliance with HIPAA regulations or for disclosures for which an authorization or opportunity to agree or object to disclosure is not required\*, Lasata Senior Living Campus may limit the accounting of disclosures to providing the information required to be disclosed for the first disclosure, the frequency, periodicity or number of disclosures made during the accounting period and the date of the last such disclosure during the accounting period.

\*Disclosures for which an authorization or opportunity to agree or object to disclosure is not required include: 1) those required by law, 2) for public health activities, 3) regarding victims of abuse, neglect or domestic violence, 4) health oversight activities, 5) for judicial and administrative proceedings, 6) for law enforcement purposes, 7) regarding decedents, 8) for cadaveric organ, eye or tissue donation purposes, 9) research purposes, 10) to avert a serious threat to health or safety, 11) for specialized government functions and 12) workers' compensation.

- Lasata Senior Living Campus must act on a resident's request for an accounting no later than 60 days after receipt of such a request, as follows:
  1. Provide the resident with the accounting requested; or
  2. If unable to provide the accounting within 60 days, Lasata Senior Living Campus may extend the time to provide the accounting by one extension of 30 days, provided that:
    - Within the 60 day time limit, Lasata Senior Living Campus provides the resident with a written statement of the reasons for the delay and the date by which they will provide the accounting.
- The first request for an accounting by a resident in any 12 month period shall be provided without charge. For each subsequent request for an accounting by the same resident within a 12 month period, Lasata Senior Living Campus will impose a cost-based fee and will inform the resident in advance of the fee to provide the resident an opportunity to withdraw or modify their request for a subsequent accounting to avoid or reduce the fee.
- Lasata Senior Living Campus will maintain for six years documentation of:

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1. All information required to be included in an accounting of disclosure of protected health information for disclosures that are subject to an accounting.
2. The written accounting that is provided to the resident.

Lasata Senior Living Campus is required to temporarily suspend a resident'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, if such agency or official provides Lasata Senior Living Campus with a written statement that such an accounting to the resident would be reasonably likely to impede the agency's activities and specifying the time for which such a suspension is required.

If a statement is made orally to Lasata Senior Living Campus by an agent or official, Lasata Senior Living Campus will:

1. Document the statement, including the identity of the agency or official making the statement;
2. Temporarily suspend the resident's right to an accounting of disclosures subject to the statement; and
3. Limit the temporary suspension to no longer than 30 days from the date of the oral statement, unless a written statement is submitted during that time.