

Divisions: All Divisions	Policy Number 179.10.17
Subject: RIGHT TO AMEND PHI (Accepting)	
Approved: Executive Director	
Approved: Associate Director	
Approved: CADE BOD	
Effective Date: April 14, 2003	
Review Dates:	
Revised Dates:	

Purpose

Under HIPAA, individuals have the right to request an amendment or correction to their protected health information. Entities have the right to deny the request to amend or correct protected health information. Unless the individual provides a reasonable basis to believe that the originator of protected health information is no longer available to act on the requested amendment, this provision applies to protected health information created by the covered entity. For both of those situations, The Center for Advanced Dental Education has created policies and procedures to address the issue and to comply with any applicable laws.

Policy

1. The Center will provide fro an individual to request an amendment to their protected health information or a record in a designated record set for as long as the information is maintained in the designated record set.

2. The Center for Advanced Dental Education will allow an individual's request to amend protected health information that was not created by Center if provided a reasonable basis to believe that the originator of the information is no longer available to act on the request.

Procedures

1. Dental Records personnel will be responsible for receiving, processing, and responding to requests for amendments to protected health information.

2. All individual requests for amendments to protected or other health information will be in writing, and directed to Dental Records.

3. Dental Records will inform the individual that it requires individuals to make requests fro amendments in writing.

4. Individuals must document the reason(s) to support the requested amendment.

5. The request will be referred to a designated health care professional for review, who will be selected by Dental Records on a case by case basis.

6. An individual's request for amendment may be denied if the requested protected health information or record:

- a. Was not created by St Louis Center;
- b. Is not part of the designated record set;
- c. Would not be available for inspection under the requirements for individual rights to access protected health information;
- d. Is accurate and complete.

7. If the requested amendment is denied, see policy, Denial of Request to Amend.

8. Dental Records will inform the individual no later than 60 days after receipt of such a request if the amendment is accepted.

9. The time period for the action by the Center will be extended by no more than 30 days.

10. If the time period for the action is extended, Dental Records will, within 30 days after receipt of the request, provide the individual with a written statement of the reasons for the delay and the date by which action of the request will be completed.
11. The time period for action will not be extended more than once.
12. If the requested amendment is accepted, Dental Records will:
 - a. Make the appropriate amendment
 - b. Arrange to have a necessary health care professional make the amendment.
13. Upon accepting and completing a requested amendment, Dental Records will perform the following tasks:
 - a. Inform the individual, in a timely manner, and obtain the individual's identification of and agreement to have The Center for Advanced Dental Education notify the relevant persons with which the amendment needs to be shared;
 - b. Make reasonable efforts to inform and provide the amendment within a reasonable time to persons identified by the individual as needing the amendment;
 - c. Make reasonable efforts to inform and provide the amendment within a reasonable time to person, including business associates, that we know have the affected protected health information and that may have relied, or could foresee reliance, on such information to the detriment of the individual.
14. In completing the amendment, Dental Records will, at a minimum, identify the affected information in the designated record set and append or otherwise provide a link to the location of the amendment.
15. In the event that another covered entity notifies The Center for Advanced Dental Education of an amendment to an individual's protected health information, Dental Records will amend the respective information by, at minimum, identifying the affected information in the designated record set and appending or otherwise providing a link to the location of the amendment.
16. This policy and procedure will be retained for a period of at least six years from the date of its creation or the date when it last was in effect, whichever is later.