

CHELAN-DOUGLAS RSN/PIHP POLICY AND PROCEDURE MANUAL		Chapter:	1.4.2.8
Title:	HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT	Page:	1 of 4
		Date Effective:	April 14, 2003
Subject:	Designated Record Set	Date Revised:	October 14, 2011 October 31, 2011
		Authorizing Signature:	

AUTHORITY: Authorizing Source: RCW 70.02 45 CFR 164 (HIPAA)

SCOPE: This policy applies to Chelan-Douglas Regional Support Network/Prepaid Inpatient Health Plan (CDRSN/PIHP) and its contractors (agencies/providers), and subcontractors (referred to as contractors or agencies or providers throughout this policy).

PURPOSE: The Chelan-Douglas Regional Support Network, in compliance with the Privacy Rules of HIPAA's Administrative Simplification provisions, sets out, in this policy, the elements of the designated record set and the creation and maintenance of data sources that contain PHI. This policy mandates that the Chelan-Douglas Regional Support Network maintain accurate and complete records for each of our consumers so that they can exercise their rights to access, review, and amend their PHI maintained in a designated record set as required under HIPAA.

DEFINITIONS: See 1.3.2.0

POLICY: The Chelan-Douglas Regional Support Network shall identify categories of records maintained, collected, used, or disseminated by the agency that contain individually identifiable health information including enrollment, payment, claims adjudication and case or medical management records maintained by or for the Chelan-Douglas Regional Support Network. Such records shall be termed "Designated Record Sets" and shall be considered the only personal health information records to which our consumers have a right to request access, amendment and copies.

A designated record set is a description of health and/or business information that can be maintained in one or many areas within the agency. The term record means any item, collection, or grouping of information that includes information (including individually identifiable health care information) and is maintained, collected, used, or disseminated by or for the Chelan-Douglas Regional Support Network.

Records created and/or maintained by our Business Associates in the rendering of services to the CDRSN must be considered when

evaluating documentation for Designated Record Sets. It is the responsibility of CDRSN to ensure that a business associate agreement is in place when required. Health information specifically created and/or maintained by business associates, when acting on behalf of CDRSN, is subject to the client rights provision to request access or amendment of such information in accordance with the Business Associate Agreement. Copies of information that are also maintained by a health care provider or health plan should not be included in the Business Associate's Designated Record Set.

The documentation maintained by the CDRSN will be evaluated to determine those groups of records that should be categorized as the designated record set. The defined process should ensure that the following information is gathered about the evaluated records:

- Documentation type
- Basic content
- Location of the documentation
- Contact person
- Paper/electronic documentation
- Documentation contains individually identifiable information
- Documentation is used to make decisions about the client

The Chelan-Douglas Regional Support Network will maintain the following items in its designated record set:

- 1) Any records generated by or correspondence between Chelan-Douglas Regional Support Network staff including the Ombuds and the consumer or others involved in the consumer's care related to any complaint, grievance or Fair Hearing.
- 2) Authorizations for Medicaid Personal Care funding.
- 3) Applications for Children's Long-Term Inpatient Program services.
- 4) Inpatient reconciliation of billing
- 5) Authorizations for other services or other written acknowledgements of consumer eligibility for services
- 6) Billing records including dates, services provided, provider, billing and payment records, and other information used to bill or to record and report encounters or services.
- 7) Any other records or protected health information used in whole or in part to make decisions about publicly funded Medicaid eligible consumers including enrollment, payment, claims adjudication and case or medical management records maintained by or for the Chelan-Douglas Regional Support Network.

The designated record set will not include:

1. Education records governed by the Family Educational Rights Privacy Act (FERPA) and exempt from HIPAA,
2. Psychotherapy notes,

3. PHI exempted by the Clinical Lab Improvements Act (CLIA)
4. Information involved in civil, criminal or administrative actions or records assembled in anticipation of a legal action,
5. Information, which was created as part of a research study to which the patient has temporarily waived right to access.
6. Health information that is not used to make decisions about the client
7. Quality improvement records
8. Risk management records including incident reports
9. Employment records held by the CDRSN in its role as employer

PHI is kept in many forms throughout the Chelan-Douglas Regional Support Network. Each of the existing repositories of PHI have been identified, documented, and approved for usage. It is our policy that any new need for creation of an additional repository of PHI must follow the same process. Unsanctioned maintenance of PHI in any form will lead to disciplinary action.

PROCEDURE:

1. All original components of the Designated Record Set will be maintained and stored at the CDRSN main office.
2. If an employee or contactor of the Chelan-Douglas Regional Support Network is not sure if a certain document or piece of information belongs in the designated record set they should contact their supervisor or the Privacy Officer/designee for advice.
3. If an employee or contractor believes that there are documents in a consumer's designated record set that do not belong there, he/she should contact their supervisor or the Privacy Officer/designee for advice on how to proceed.
4. Staff who wish to create a supplementary consumer record for their use in the community or at satellite sites that includes copies of any PHI must obtain the prior approval of the Privacy Officer/designee.
5. Each employee or contractor who is responsible for obtaining or maintaining any of the billing records is responsible for:
 - a. Ensuring that the information is complete, communicated to the appropriate person, and filed in a timely manner.
 - b. Ensuring that the information is appropriately secured according to Chelan-Douglas Regional Support Network policy
 - c. No employee or contractor should maintain any of the information contained in the billing record in a separate file or outside of the locations designated in Chelan-Douglas Regional Support Network policy. However, in certain circumstances an employee may be asked to obtain billing information in a community location or at a satellite site. In these cases, the information should be secured until it can be given or communicated to the appropriate person.

SEE ALSO: Administrative requirements – documentation retention
Individual rights to access, amendment, and accounting