STATE OF UTAH DEPARTMENT OF HEALTH	Number: 12.20	Page 1 of 2
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POLICIES & PROCEDURES	Authorized By: W. David Patton	
Section: Privacy Policies	Subject: Patient/Recipient Privacy Rights	

Effective Date: October 9, 2012

It is the policy of Utah Department of Health (Department) to implement the following policies and procedures that will ensure patient/recipient privacy rights in accordance with the Privacy Regulations promulgated under HIPAA:

1. **Availability of Privacy Notice:** As the Department interacts with patient/recipient's, they have the right to receive our privacy notice in a timely manner. Upon request, the patient/recipient may at any time receive a paper copy of our privacy notice, even if he or she earlier agreed to receive the notice electronically. We must also post our privacy notice in a prominent location. As the Department interacts with recipients, they have the right to receive our privacy notice in a timely manner. In addition, we must inform recipients how to obtain the privacy notice that is relevant to them.

2. **Requesting Restrictions on Certain Uses and Disclosures:** The patient/recipient has the right to object to, and ask for restrictions on, how his or her health information is used or to whom the information is disclosed, even if the restriction affects the patient/recipient's treatment or our payment or health care operation activities. The patient/recipient may want to limit the health information that is included in patient/recipient directories, or provided to family or friends involved in his or her care or payment of medical bills. The patient/recipient may also want to limit the health information provided to authorities involved with disaster relief efforts. However, we are not required to agree in all circumstances to the patient/recipient's requested restriction.

3. **Receiving Confidential Communication of Health Information:** The patient/recipient has the right to ask that we communicate his or her health information to them in different ways or places. For example, the patient/recipient may wish to receive information about their health status in a special, private room or through a written letter sent to a private address. We must accommodate requests that are reasonable in terms of administrative burden. We may not require the patient/recipient to give a reason for the request.

4. **Receiving Confidential Communication of Health Information:** The recipient has the right to ask that we communicate his or her health information to them in different ways or places. We must accommodate requests that are reasonable in terms of administrative burden, if the individual has made a statement that disclosure of the health information could put them in danger.

5. **Access**, **Inspection and Copying of Health Information:** Patients have the right to inspect and obtain a copy of their health information. With a few exceptions, recipients have the right to inspect and obtain a copy of their health information. However, this right does not apply to psychotherapy notes or information gathered for judicial proceedings, for example. In addition, we may, under certain conditions, charge the patient/recipient a reasonable fee for copies of their health information.

6. **Requesting Amendments or Corrections to Health Information:** If the patient/recipient believes their health information is incomplete or incorrect, they may ask us to correct the information. The patient/recipient may be asked to make such requests in writing and to give a reason as to why his or her health information should be changed. However, if we did not create the health information that the patient/recipient believes is incorrect, or if we disagree with the patient/recipient and believe his or

her health information is correct, we may deny the request. We must act on the request within 60 days after we receive it, unless we inform the patient/recipient of our need for a one-time 30-day extension.

7. **Receiving an Accounting of Disclosures of Health Information:** In some limited instances, the patient/recipient has the right to ask for a list of the disclosures of their health information that we have made while we maintained their protected health information in their designated record set. This list must include the date and time of the received request, date and time of the disclosure, who received the disclosed health information, a brief description of the health information disclosed, and why the disclosure was made. We must furnish the patient/recipient with a list within 60 days of the request, unless we inform the patient/recipient of our need for a one-time 30-day extension or upon reasonable notice, and we may not charge the patient/recipient for the list, unless the patent/recipient requests such list more than once in a 12 month period.

8. **Complaints:** Patient/recipients have the right to file a complaint with us and with the federal Department of Health and Human Services if they believe their privacy rights have been violated. We will not retaliate against the patient/recipient for filing such a complaint. To file a complaint with either entity, the patient/recipient should contact the privacy officer listed on the Notice of Privacy Practice, who will provide the patient/recipient with the necessary assistance and paperwork.