

NORTHCARE NETWORK

POLICY TITLE: Release of Medical Records	CATEGORY: Information Management	
EFFECTIVE DATE: 9/11/24	BOARD APPROVAL DATE: 9/11/24	
REVIEW DATE: 8/1/25	REVISION(S) TO POLICY STATEMENT: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	OTHER REVISION(S): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
RESPONSIBLE PARTY: Chief Information Officer	CEO APPROVAL DATE: 8/5/25 Megan Rooney, CEO	

APPLIES TO

NorthCare Network Personnel

POLICY

Upon request and with appropriate consent to release, as applicable under state and federal regulations, NorthCare Network will only release documentation from the electronic health record which is generated by NorthCare Network in their official capacity as a managed care entity. Examples of records that NorthCare Network would release are continuing stay review determinations for inpatient psychiatric and substance use disorder services.

PURPOSE

To ensure NorthCare staff are aware of the limitations for disclosure of records in the electronic health record system.

DEFINITIONS:

N/A

REFERENCES

- Legal Health Record Policy
- Designated Record Set Policy
- HIPAA Privacy Rule - 45 CFR Part 160 and Subparts A and E of Part 164

HISTORY

NEW POLICY: 9/11/24

REVISION DATE: 8/1/25

REVIEW DATE: 8/1/25

CEO APPROVAL DATE: 8/8/24, 8/5/25

BOARD APPROVAL DATE: 9/11/24

PROCEDURE:

1. Right to request protection of PHI
 - A. Individuals can exercise the right request protection under 45 CFR Subpart E 164.522 by contacting NorthCare Network Customer Services by phone, e-mail or mail. E-mail correspondence must be handled consistent with the NorthCare Network Electronic Mail Use Procedure.
 - B. All requests will be logged, date stamped and reviewed as expeditiously as possible, but no later than 5 business days after receipt.
 - C. Record sequestration will be executed consistent with the NorthCare Network Sequestering a Record Policy.

2. Right to access PHI

- A. Individuals can exercise the right to access under 45 CFR Subpart E 164.524 by contacting NorthCare Network Customer Services by phone, e-mail or mail. E-mail correspondence must be handled consistent with the NorthCare Network Electronic Mail Use Procedure.
- B. All requests will be logged, date stamped and reviewed as expeditiously as possible, but no later than 5 business days after receipt. Action will be taken on the request no later than 30 days after receipt of the request.
- C. If NorthCare Network does not maintain the PHI requested, but knows where the information is maintained, the covered entity must inform the individual where to direct the request for access (i.e. CMHSP, Network Provider) in accordance with 45 CFR 164.524(d)(3).
- D. Requested records must be reviewed by a licensed professional to determine if the request should be denied in accordance with reasons listed in 45 CFR 164.524(3).
- E. If a request is denied, in whole or in part, a denial will be provided in writing to the individual no later than within 30 calendar days of the request (or no later than within 60 calendar days if the covered entity notified the individual of an extension). The denial must be in plain language and describe the basis for denial; if applicable, the individual's right to have the decision reviewed and how to request such a review; and how the individual may submit a complaint to the covered entity or the HHS Office for Civil Rights. See 45 CFR 164.524(d).
- F. Fees may be charged as appropriate and allowable under 45 CFR 164.524(c)(4). Notification of fees, if any, will be provided to requester prior to fulfilling the request.
- G. Access to requested records will be provided in the form and format requested by the individual, if it is readily reproducible in such form and format, or if not, in a readable hard copy form or such other form and format as agreed to by NorthCare Network and the individual.

3. Right to amend record.

- A. Individuals can exercise the right to access under 45 CFR Subpart E 164.524 by contacting NorthCare Network Customer Services by phone, e-mail or mail. E-mail correspondence must be handled consistent with the NorthCare Network Electronic Mail Use Procedure.
- B. All requests will be logged, date stamped and reviewed as expeditiously as possible, but no later than 5 business days after receipt. Action will be taken on the request no later than 60 days after receipt of the request.
- C. If a request is denied, in whole or in part, a denial will be provided in writing to the individual no later than within 30 calendar days of the request (or no later than within 60 calendar days if the covered entity notified the individual of an extension). The denial must be in plain language and describe the basis for denial; if applicable, the individual's right to have the decision reviewed and how to request such a review; and how the individual may submit a complaint to the covered entity or the HHS Office for Civil Rights. See 45 CFR 164.524(d).
- D. Denials of amendment, along with statements of disagreements and rebuttal statements, will be recorded in the EMR in association with the record in question as necessary.

4. Right to receive accounting of disclosures of PHI
 - A. Individuals can exercise the right to access under 45 CFR Subpart E 164.528 by contacting NorthCare Network Customer Services by phone, e-mail or mail. E-mail correspondence must be handled consistent with the NorthCare Network Electronic Mail Use Procedure.
 - B. All requests will be logged, date stamped and reviewed as expeditiously as possible, but no later than 5 business days after receipt. Action will be taken on the request no later than 60 days after receipt of the request.
 - C. Accounting of disclosures of protected health information made by NorthCare Network in the six years prior (or a period of less than six years as requested by the individual) to the date on which the accounting is requested will be provided in accordance with 45 CFR Subpart E 164.528.