

**EMPLOYEE GROUP INSURANCE
TREATMENT OF PROTECTED HEALTH INFORMATION**

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| Section 4.1: Requests for PHI by EGI | Page: 1 of 2 |
| Effective Date: April 14, 2003 | |

POLICY

EGI may make a request for PHI without first obtaining specific approval from the Contact Person in consultation with the Privacy Officer only if the request constitutes a “routine request.” EGI shall obtain approval prior to making any other request for PHI.

4.1(1) Routine Requests for PHI.

EGI may request PHI without prior approval from the Contact Person in consultation with the Privacy Officer under any of the following circumstances, each of which shall be considered a routine request:

- a. EGI’s request for PHI is for the purpose of conducting Payment activities or Health Care Operations activities of the Group Health Plan:
- b. The Member has provided an Authorization permitting the disclosure from the person from whom EGI intends to request the PHI; or
- c. EGI requests PHI in order to adequately respond to a Member’s request for access to the member’s PHI (in accordance with Section 7.2 of this Manual), amendment of the Member’s PHI (in accordance with Section 7.3, or an accounting of disclosures of the Member’s PHI (in accordance with Section 7.4 of this Manual).

Notwithstanding the above, a request for a Member’s entire medical record or a request for psychotherapy notes shall not be considered to be a routine request.

4.1(2) Non-routine Requests for PHI.

Prior to making any request for PHI that is not identified in Section 4.1(1) as a routine request, EGI shall seek approval from the Contact Person in consultation with the Privacy Officer of such request and shall refrain from making such request absent the Contact Person’s approval.

Upon notification of a request for PHI, the Contact Person shall determine whether the information to be requested is PHI. If the information is PHI and the request is made to another Covered Entity, the Contact Person shall approve a request only if the PHI sought is limited to the information reasonably necessary to accomplish the purpose for which the request is made. If the Contact Person determines, in his or her discretion, that EGI may and should make a request, the Contact Person shall, as soon as administratively practicable after making such determination, communicate his or her determination to the individual who requested it. Otherwise, the Contact Person shall inform such individual either that the request

should not be made or that, to make such request, an Authorization from each individual who is a subject of the PHI must first be obtained.

4.1(3) Documentation of Requests for an Entire Medical Record

If the Contact Person approves a request for an individual's entire medical record, the Contact Person shall document the justification for such request in accordance with Section 9.2 of this Manual.

4.1(4) Documentation of Requests for Psychotherapy Notes

If the Contact Person approves a request for psychotherapy notes as part of the record being requested, the Contact Person shall document the justification for such request in accordance with Section 9.2 of this Manual.

REFERENCES/CITATIONS

45 C.F.R. §§ 164.502(b), 164.514(d)(4)-(5)

65 Fed. Reg. at 82,543-45, 82,712-16 (Dec. 28, 2000); 67 Fed. Reg. at 53,195-99 (Aug. 14, 2002)