

Accounting of Disclosures Frequently Asked Questions (FAQs)

Q: What information needs to be recorded for each disclosure subject to the Accounting of Disclosures?

A: For each disclosure the following details are required to be recorded:

- Date of Disclosure
- Name and, if known, address of the recipient of the health information
- Type of health information disclosed
- Purpose of Disclosure

Q: If I release health information to another provider do I need to record that disclosure in the ADS?

A: No. We do not need to keep an accounting of disclosures for treatment related activities.

Q: If I release health information to a health insurance company for the payment of a claim, do I need to record that disclosure in the ADS?

A: No. We do not need to keep an accounting of disclosures for payment related activities.

Q: Do I need to record in the ADS incidental disclosures that have been made?

A: No, incidental disclosures are exempted from the accounting of disclosures requirement.

Q: If I release health information to a parent of a minor do I need to record that disclosure in the ADS?

A: No. Additionally, disclosures to family, friends, or other identified by the patient who are involved in the care of payment of the patient do not need to be recorded in the ADS.

Q: Do I need to account for disclosures related to a decedent's health information?

A: Yes, HIPAA treats the health information of decedents with the same protections as the health information of a living person.

Q: Are oral disclosures subject to the accounting of disclosures requirement?

A: Yes, if a disclosure is made in any manner (oral, written, electronic, etc) and the disclosure is subject to the accounting requirement, then the disclosure needs to be included in the ADS.

Q: How quickly should a disclosure be entered into the Accounting of Disclosures System (ADS)?

A: Within 5 business days of the disclosure.

Q: How do I run a report on the Accounting of Disclosures System (ADS)?

A: When patients request a report of their accounting of disclosures, please have the patient fill out the request form, <http://www.ohsu.edu/cc/hipaa/docs/acct.pdf>, and send the request to Health Information Services.

Q: Is there a mechanism to look up to see if a disclosure has already been entered into the ADS for a patient?

A: No, not within the user's side of the application. If you are uncertain whether the disclosure has been entered into the ADS, please enter the disclosure.

Q: Is the ADS connected (interfaced) with the hospitals & clinics clinical patient systems (A2K, LCR, etc)?

A: No, but an initial batch load of active patients was made into the system from A2K to populate the database. Furthermore, daily new patient registrations from the Hospitals & Clinics are loaded into the database the following morning.

Q: I tried looking up a patient by their Medical Record Number who I am sure has been to OHSU in the past. Why do they not pull up in the ADS?

A: Most likely, this patient was not included in the initial download and has not had a disclosure to date and therefore is currently not in the system. The patient demographics information should be added as new to the ADS.

Q: What do I do if I entered incorrect patient or disclosure information and did not realize such until after it had been submitted?

A: Please enter a separate disclosure with the correct information and send an e-mail to acctdisc@ohsu.edu and ask that the incorrect record be deleted. Please include the date of the entry, the name of the person who entered the information, and as much information related to the person or disclosure as is available.

Q: What or who should I enter as the recipient of the health information?

A: It is important to remember that the information that is recorded into the ADS for the accounting of disclosures is what will be presented to the patient upon their request. In most instances we advise that you list the entity that received the health information (i.e. Department of Human Services) rather than the person's name. The entity's name will most likely be more descriptive to the patient. In some instances, such as a disclosure made as a result of a court order, it may make the most sense to list the individual's name who received the health information.

Q: Will the name of the OHSU employee who released the information or recorded the disclosure into the ADS be included in the accounting of disclosures report that is provided to the patient?

A: No. Patients do not have a right to receive this information.

Q: If I receive a phone call from the Public Health Department and they wish to verify some patient information that they have received, do I need to record this in the accounting of disclosures?

A: If you are verifying health information that has previously been disclosed by OHSU, you do not need to record this disclosure information.

Q: If I just release the patient's demographics to a law enforcement official, do I need to record this disclosure into the ADS?

A: Yes, if the patient's demographics are obtained from protected health information, then the demographics remain as protected health information and are therefore subject to the accounting of disclosures requirement.

Q: If I talk to the same person/entity about a case multiple times and each case is a disclosure that meets the accounting requirement, do I have to enter each discussion into the ADS as a separate disclosure?

A: This disclosure can be entered into the ADS only once as long as the following conditions apply:

- The disclosures are to the same entity;
- The disclosures are on the same day;
- The disclosures pertain to the same purpose (the same issue is continuing to be discussed);
- The disclosures pertain to the same type of health information.

If any of these factors change, such as additional health information is disclosed, then a separate disclosure needs to be recorded in the ADS.

Q: Do patients have the right to receive an accounting of disclosures made by business associates of OHSU?

A: Yes, disclosures subject to the accounting requirement that are made by business associates of OHSU are to be provided to patients upon request for an accounting of disclosures from OHSU. Business Associates can also use the ADS to record OHSU patient health information disclosures.