**2014 HIPAA Risk Assessment**

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk Area:** | | Patient request for restriction on PHI disclosed to health plans. | |
| **Description:** | | Under the HIPAA Omnibus Rule, a patient may request that a covered entity restrict the information that is provided to a health plan IF 3 conditions are satisfied:   1. The patient specifically requests the restriction of PHI; 2. The patient has paid in full for the restricted services; and 3. The disclosure to the health plan would otherwise be permitted for payment or health care operations. | |
| **No.** | **Workstep** | | **Response** |
| Confidentiality | | | |
| 1. |  | |  |
| Integrity | | | |
| 1. | Are technical safeguards in place to ensure that records are properly flagged as restricted from disclosure? | |  |
| Accessibilty | | | |
| 1. | Do current policies and procedures define how to receive, document and respond to requests for restrictions of PHI? | |  |
| 2. | Have staff been trained on how to respond to requests for restrictions of PHI to health plans? | |  |
| Scalability | | | |
| 1. | Does the current medical record system have the capability to document requests for restrictions? | |  |
| 2. | Does the current medical record system have the capability to restrict information disclosed to health plans for payment or health care operations? | |  |
| 3. | If not, what steps are in place to comply with this requirement? | |  |