



Provider's Responsibilities in Patient Rights for HIPAA

Patients have rights under the Privacy Rule that you are required to honor as a provider who is considered a covered entity under HIPAA. These rights are also described in the Notice of Privacy Practices that you provide to your patients.

1. **Right to amend protected health information.** Patients have a right to amend any element of protected health information in the designated record set as long it is maintained by the covered entity (45 CFR §164.526).
2. **Right to access to protected health information.** A patient has a right of access to inspect and obtain a copy of protected health information about the patient in a designated record set at your facility (45 CFR §164.524).
3. **Right to request alternative (confidential) communications.** Patients can ask providers to contact them in a certain way, e.g., on their cell phone as opposed to home. The provider must accommodate such requests if they are reasonable [45 CFR §164.522(b)(1)].
4. **Right to restrict protected health information.** Patients have the right to request restrictions on how patient information is used and disclosed. Providers are not required to agree to such requests, **except** for restrictions to health plans, if the patient has paid in full for the related product or service. Failure to observe an agreed-upon request will lead to a violation of HIPAA [45 CFR §164.522 (a)(1)].
5. **Right to receive an accounting of disclosures.** Patients have a right to receive a listing of all disclosures of their personal information to third parties by a covered entity if the disclosures are not for treatment, payment, and/or health care operations and for certain disclosures to health oversight agencies or law enforcement activities, and that are not authorized by the patient. Examples of some of the disclosures that must be tracked are public health activities (reporting immunizations, birth and death certificates, cancer/tumor registries); reports about victims of abuse, neglect, or domestic violation; information used for organ or tissue donation and transplantation; and other disclosures required by law (45 CFR §164.528).
6. **Right to Notice of Privacy Practices.** Every new patient must be given a copy of a Notice of Privacy Practices, and the provider must make reasonable efforts to obtain from the patient acknowledgement of receipt of such notice. This notice describes how medical information about a patient may be used and disclosed by the provider and patients' rights under the Privacy Rule. In addition, the notice includes a statement about the provider's requirement to notify affected individuals following a breach of unsecured protected health information (45 CFR §164.520).
7. **Right to file a complaint.** The provider must have a contact person as well as a process for patients to make complaints concerning the covered entity's policies and procedures required by the Privacy Rule or its compliance with such policies and procedures [45 CFR §164.530(d)(1)].
8. **Other rights.** The provider or staff may not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against a patient for the exercise by the patient of any right established, or for participation in any process provided [45 CFR §164.530(g)].