10 Member Access to His/Her Own Protected Information

10.1 Policy

Outside of the Member Contact Center, HP Enterprise Services personnel and BAs do not discuss a member's benefits, claims payments, or anything regarding PHI concerning the member or any third party. In accordance with HIPAA regulations, a member is within their rights to request one or all of the following forms:

1. Request to receive confidential communications at an alternative location
2. Request for an accounting of disclosures of protected health information
3. Request for a restriction on protected health information
4. Authorization for the use and disclosure of protected health information
5. Request an amendment to protected health information
6. Request to access protected health information

In the event that HP Enterprise Services receives a request of this type, it is important for staff members to follow the HP Enterprise Services procedures described below. HP Enterprise Services is to direct the member to the appropriate HIPAA privacy forms, as needed. If requested, or HP Enterprise Services determines that assistance may be needed completing the HIPAA privacy form, HP Enterprise Services may refer the caller to the local area Medicaid office or the DCH HIPAA Compliance Office at 404.657.9082. The address for mailing the form is:

Georgia Department of Community Health□Compliance Office□

DCH HIPAA Compliance Officer□

2 Peachtree Street, NW - 40th Floor□

Atlanta, GA 30303-3159

After processing the request DCH issues instructions to HP Enterprise Services regarding member access to his or her own information, in accordance with DCH-established policy. The specific HIPAA privacy requirements regarding this policy are contained in section 164.524 of the Privacy Rule.

10.2 Procedure

1. If the member places a phone call to HP Enterprise Services, requesting any of the enumerated items listed in section 10.1, personnel immediately give the member the telephone number for the help desk 404.657.9082. Only DCH can assist the member with these types of request.

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2. If the member writes a letter delivered to HP Enterprise Services requesting any of the enumerated items in section 10.1, the letter is sent to DCH for processing.

3. If the representative of the member (such as an attorney) sends a letter or fax to HP Enterprise Services requesting records, the HP Enterprise Services privacy and security officer responds with a phone call and a fax letter. The information provided notifies the requester that the release of PHI must be authorized by the covered entity (DCH) and the contact address for the DCH privacy officer is given (see template text below). The requests and the subsequent HP Enterprise Services responses are kept by the HP Enterprise Services privacy and security officer.

4. The DCH privacy officer forwards all approvals for release of PHI to the HP Enterprise Services privacy and security officer, who:

    a. Obtains the requested information from the GAMMIS or from paper files. All information is provided in paper form unless otherwise agreed to by DCH and HP Enterprise Services.

    b. Forwards the information to the DCH privacy officer within 72 business hours of receiving the request, unless otherwise agreed upon.

5. In the event that DCH instructs HP Enterprise Services to release information to an entity outside of DCH, the HP Enterprise Services privacy and security officer documents the release of information as required.

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