

HARBOR-UCLA MEDICAL CENTER

SUBJECT: DESIGNATED RECORD SET

POLICY NO. 722

PURPOSE:

Individuals have a right to inspect, obtain a copy, and request amendments to protected health information (PHI) about themselves in a Designated Record Set. The purpose of this policy is to identify those records that comprise the Designated Record Set. Defining the scope of the Designated Record Set is important because it defines the information, which is subject to an individual's right to access and amendment.

POLICY:

Harbor-UCLA Medical Center will identify those records that comprise the Designated Record Set in order to clarify the access and amendment standards as set forth in the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA).

DEFINITIONS:

Designated Record Set means a group of records maintained by or for a covered entity that is:

- Medical and billing records about individuals maintained by or for a covered health care provider;
- The enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan; **or**
- Information used in whole or in part by or for the covered entity to make decisions about individuals.

PROCEDURE:

- A. At the Harbor-UCLA Medical Center, Designated Record Sets are maintained by the particular entity that provides medical treatment to the individual.
1. The particular entity controls access to the Designated Record Set.
 2. The entity retrieves information from the designated record set by utilizing the name, identifying number, symbol, or other identifier-assigned to the individual.
- B. The Designated Record Set maintained by Harbor-UCLA Medical Center includes:
1. Medical Record Designated Record Set includes:
 - Documentation of Harbor-UCLA Medical Center healthcare services provided to an individual in any aspect of healthcare delivery (e.g. advance directives, care plans, consultation reports, discharge summaries, orders, assessments, consents, provider documentation, etc.);

EFFECTIVE DATE: 04/14/03

SUPERSEDES:

REVISED:

REVIEWED: 12/08, 03/14, 07/17

REVIEWED COMMITTEE: N/A

APPROVED BY: _____

Kim McKenzie, RN, MSN, CPHQ
Chief Executive Officer

Anish Mahajan, MD
Chief Medical Officer

Patricia Soltero Sanchez, RN, BSN, MAOM
Chief Nursing Officer

Signature(s) on File.

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- Individually identifiable data, in any medium, collected or directly used in and/or documenting healthcare or health status. This includes paper-based medical records, imaged records and other electronic/computer-based databases; **and**
 - Records of care from all Harbor-UCLA Medical Center settings, including inpatient and ambulatory areas.
2. Billing Designated Record Set includes:
 - Patient-identifiable claims;
 - Other patient identifiable data used for payment purposes; **and**
 - Harbor-UCLA Medical Center Supporting documentation for the reimbursement of services provided to the patient.
 3. Records maintained by a business associate that meet the definition of Designated Record Set that are not merely duplicates of information maintained by Harbor-UCLA Medical Center.
- C. Exclusions to the Designated Record Set:
1. The designated record set excludes records that do not pertain to medical treatment, billing, insurance coverage, payment, or claim adjudication, and are not otherwise used to make decisions about the Individual. Examples of excluded records include:
 2. “Shadow” records. Files maintained by clinicians that contain only copies of information otherwise located in the Designated Record Set. Shadow records contain no new or original documents and are maintained merely for the convenience of clinicians.
 3. Quality control analysis. Risk management records, quality assessment and improvement records, and peer review records that are used for operational analyses and not for making decisions about individuals.
 4. Data collected and maintained for research.
 5. Appointment and surgery schedules.
 6. Information compiled in reasonable anticipation of or for use in a civil, criminal, or administrative action or proceeding (e.g., notes taken by Harbor-UCLA Medical Center during a meeting with Harbor-UCLA Medical Center’s attorney about a pending lawsuit).
 7. Employer records (e.g., pre-employment physicals, results of HIV tests on employees who have incurred needle stick injuries on the job).
 8. Source data interpreted or summarized in the individual’s medical record (e.g., pathology slides, diagnostic films, electrocardiogram tracings from which interpretations are derived).
 - There may be times when an individual has legitimate need for source data. When such a need arises, Harbor-UCLA Medical Center shall provide the individual with greater rights of access, allowing the individual access to or copies of the source data when possible.

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REFERENCES:

Code of Federal Regulations 45 Part 160 and 164; Sections 164.501; 164.524(a), (b), (c), (e); 164.526 (a), (b), (c), (d), (e).