



North Dakota Department of Health HIPAA Policy

Policy Title:	Accounting of Disclosures of Protected Health Information	
Policy Number:	P-002	Version: 1.3 Updated September 3, 2003
Reference:	45 CFR 164.528	
Applicability:	Division of Microbiology	
Approved By:	Dr. Terry Dwelle, State Health Officer Arvy Smith, Deputy State Health Officer Darleen Bartz, HIPAA Coordinator, Privacy Officer	
Effective Date:	April 14, 2003	

Policy:

An individual has a right to receive, upon written request, an accounting of disclosures of their protected health information (PHI) made by the NDDoH in the six years prior to the date the accounting was requested.

Exceptions:

An accounting does not need to be maintained if PHI has been released:

- To carry out treatment, payment and health care operations
- To the individual
- As authorized by the individual
- To persons involved in the individual's care
- For national security or intelligence purposes
- To correctional institutions or law enforcement officials
- As part of a limited data set
- Prior to April 14, 2003
- To the Secretary of the Department of Health and Human Services
- Incidentally

Procedure:

- NDDoH will provide an accounting of disclosures of an individual's PHI in accordance with the Verification of Identity policy (P-025). The accounting will include all disclosures made after April 14, 2003 which have occurred within 6 years of the request.
- When a request for an accounting of disclosures of PHI is received, it will be provided within sixty (60) days. If necessary, this time frame may be extended for thirty (30) days. The individual requesting the accounting will be informed in writing, within sixty (60) days of the original request, of the reason(s) for the delay and the date by which action will be taken upon the request.

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- An individual may receive an accounting of disclosures once during any twelve (12) month period for no charge.
- If an individual requests more than one accounting within the same twelve (12) month period, a reasonable, cost-based fee may be charged by NDDoH. The individual will be informed of the fee in advance and will be provided the opportunity to modify or withdraw the request.
- The accounting for each disclosure includes:
 - The date of the disclosure;
 - The name of the entity or person to whom the disclosure was made and their address (if known);
 - A brief description of the PHI disclosed;
 - One of the following:
 - A brief statement of the purpose of the disclosure; or
 - A copy of the written request for the disclosure from the Secretary of the Department of Health and Human Services (DHHS) or from the appropriate entity.
- If the same (or substantially similar) PHI is disclosed on a periodic basis, only the first and last date of disclosure and the frequency of disclosure (or a summary) will be reported.
- If the accounting includes multiple disclosures to the same person/entity for a single purpose or under a single authorization, the accounting will include only the frequency or number of disclosures and the date of the last disclosure made during the accounting period for all disclosures after the first disclosure.
- NDDoH maintains the information that is required to be included in an accounting of PHI for six (6) years from the date of its creation or the date when it was last in effect, whichever is later.
- Written accountings provided to individuals in response to a request are maintained for six (6) years from the date of the creation or the date when it was last in effect, whichever is later.
- NDDoH maintains the name of the employee and the division responsible for receiving and processing requests for an accounting for a period of six (6) years.
- Requests for an accounting of disclosures must be made in writing to the Privacy Officer, NDDoH, 600 East Boulevard Avenue, Bismarck, ND 58505.

Related Forms:

Accounting of Disclosures Request Form

Definitions:

NDDoH – North Dakota Department of Health

Protected Health Information – Individually identifiable health information that is transmitted or maintained by electronic media or transmitted or maintained in any other form or medium

Individually Identifiable Health Information – Health information which includes demographic information that relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual and that identifies the individual or there is a reasonable basis to believe the information can be used to identify the individual

Electronic Media – Electronic storage media including memory devices in computers and any removable/transportable digital memory medium such as magnetic tape or skid, optical disk or digital memory card; or transmission media used to exchange information already in electronic storage media. Transmission media include, the internet, extranet, leased lines, dial-up lines, private networks and the physical movement of removable/transportable electronic storage media