

POLICY INFORMATION

Policy Title: Designated Record Sets Policy and Procedure

Departmental Owner: Chief Compliance, Audit, and Privacy Officer

Version Effective Date: 2/28/24

Last Reviewed: 2/28/24

SCOPE

This policy applies to the following individuals and/or groups:

- All of the below categories
 All Employees CT Employees NY Employees Remote Employees Contractors Volunteers Students/Interns Vendors

This policy applies to all above listed Nuvance Health workforce members including but not limited to the following locations:

- All of the below entities
- | | | |
|---|---|---|
| <input type="checkbox"/> Nuvance Health Systems | <input checked="" type="checkbox"/> Health Quest Systems, Inc. "(HQSI)" | <input type="checkbox"/> Western Connecticut Home Care, Inc ("WCHN") |
| <input type="checkbox"/> Danbury Hospital (including New Milford Hospital Campus) | <input checked="" type="checkbox"/> Health Quest Home Care, Inc | <input type="checkbox"/> Western Connecticut Health Network Physician Hospital Organization ACO, Inc. |
| <input checked="" type="checkbox"/> Northern Dutchess Hospital | <input checked="" type="checkbox"/> Hudson Valley Cardiovascular Practice, P.C. (aka The Heart Center) ("HVCP") | <input type="checkbox"/> Western Connecticut Home Care, Inc |
| <input type="checkbox"/> Norwalk Hospital | <input checked="" type="checkbox"/> Other HQSI-affiliated Entities Not Listed | <input type="checkbox"/> Other WCHN-affiliated Entities Not Listed |
| <input checked="" type="checkbox"/> Putnam Hospital | | <input checked="" type="checkbox"/> Nuvance Health Medical Practices (NHMP PC, NHMP CT, ENYMS & HVCP) |
| <input checked="" type="checkbox"/> Sharon Hospital | | |
| <input checked="" type="checkbox"/> Vassar Brothers Medical Center | | |

POLICY STATEMENT/PURPOSE

The purpose of this policy is to detail elements included in the Designated Record Set to which individuals have access and detail records that are exceptions to the Designated Record Set.

DEFINITIONS

See HIPAA Glossary

POLICY

The Designated Record Set is established for use throughout Nuvance Health and its affiliates ("Nuvance") for purposes of identifying that information to which individuals may have the right to request access to, that is subject to the HIPAA Privacy Rule requirement.

With limited exceptions, the HIPAA Privacy Rule gives individuals the right to access, upon request, the medical records and billing records about them in one or more Designated Record Set(s) maintained by or for Nuvance to make decisions about the individual.

PROCEDURE

Nuvance has a procedure for processing requests for designated record sets.

Nuvance shall, with limited exceptions, provide individuals and/or their personal representative(s) access to their respective designated record set upon proper authorization. The designated record set only applies when the information requested is released to the patient and/or personal representative and when the patient and/or personal representative request an amendment (see Patient's Right to Request Amendment to PHI).

This procedure outlines elements contained in the designated record which includes the following medical records and billing records:

A. IDENTIFYING THE NUVANCE DESIGNATED MEDICAL RECORD SET

The designated medical record set includes some or all of the following information depending on the patient's illness or injury and whether the patient was seen in the inpatient, out-patient, physician practice or emergency service environment:

1. Identification Sheet/Face Sheet
2. Advance Directives
3. Problem List
4. History and Physical
5. Progress Notes (including interdisciplinary documentation)
6. Consultations
7. Physicians' Orders
8. Diagnostic Imaging Reports
9. Laboratory Reports
10. EKG Reports
11. EEG Reports
12. Pathology Reports
13. Anesthesia Records
14. Reports of Operations/Procedures
15. Therapy Reports
16. Recovery Room Records
17. Graphic Sheets
18. Medication Records
19. Nursing Documentation
20. Immunization Records
21. Discharge Instructions
22. Discharge Summary
23. Consents and Authorizations
24. Home Health Documentation
25. Transfer Records
26. Photographs (if included in the medical record)
27. W-10 Interagency Referral Forms
28. T19 Hysterectomy Consent Form
29. T19 Sterilization Form
30. Requests for Amendment

31. Amendments
32. Denials of Requests for Amendment

B. ITEMS EXEMPT FROM THE NUVANCE HEALTH DESIGNATED MEDICAL RECORD SET, INCLUDE BUT ARE NOT LIMITED TO, THE FOLLOWING:

1. Psychotherapy notes
2. Quality Assessment or Improvement Records
3. Peer Review Files
4. Practitioner or provider performance records
5. Patient safety activity records
6. Business planning, development and management for general business purposes. (e.g. formulary development records with an individual's PHI but used for general purposes)
7. Photographs, unless physically attached to a page of the medical record
8. Diagnostic images
9. Fetal monitoring strips, unless physically attached to a page of the medical record
10. EKG or other monitoring strips, unless physically attached to a page of the medical record
11. Pathology slides
12. Video tapings
13. Copies of prescriptions unless transcribed onto a progress note or computerized chart note
14. Copies of medical records from other facilities/physicians, except when specifically addressed to the institution or physician
15. Case management and other quality improvement/utilization management and operational documents
16. Other digitally recorded media

C. IDENTIFYING THE NUVANCE DESIGNATED BILLING RECORD SET

The designated billing record set includes some or all of the following forms depending on the patient's form of payment, location of service, Medicare eligibility, and whether a medical release or a response to a complaint was necessary:

1. Medical Release Forms
2. Medicare ABN Letter
3. Medicare Lifetime Reserve Letter
4. Medicare Notice of Non-Coverage Letter
5. Payment Agreement
6. Billing Statement
7. Charges/Adjustments/Payments Printout
8. Detail Bill
9. Requests for Amendment
10. Amendments
11. Denials of Requests for Amendment

D. ITEMS EXEMPT FROM THE NUVANCE HEALTH DESIGNATED BILLING RECORD SET, INCLUDE BUT ARE NOT LIMITED TO, THE FOLLOWING:



1. Billing Screen (this is essentially part of a process that produces a detailed bill that is included in the designated billing record set).
2. Insurance information provided through the mail (the information is loaded into the billing system and then the paper copy is discarded).
3. Payer/Provider correspondence such as remittance advice/Explanation of Benefits and denial letters
4. Referral papers (The information is loaded into the billing system and then the paper copy is discarded.)

E. OTHER ELEMENTS OF A DESIGNATED RECORD SET MAY INCLUDE:

- a. The enrollment, payment, claims adjudication, case or medical management records maintained by and for a health plan
- b. Information used whole or in part or for the covered entity to make decisions about individuals.

ENFORCEMENT

All individuals whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate remedial and/or disciplinary action, up to and including termination of any employment or other relationship, in accordance with this policy.

REFERENCES

- 45 CFR, Parts 160 and 164
- 45 CFR 164.501
- 45 CFR 164.524(a)

APPROVAL

DocuSigned by:
Jared B Gaynor
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Signature

2/28/2024

Date