

PUBLICATION

Help with HIPAA!

March 02, 2016

The U.S. Department of Health & Human Services has published answers to some frequently asked questions about an individual's right to access identifiable health information.

Are the FAQs boring? Absolutely. But are they helpful? Unfortunately, yes. If you deal with employee health plans, you need to press on.

If you're still reading, you know that HIPAA limits access to your personal health information. This is known as the Privacy Rule. As any rule does, this one has exceptions. One of those exceptions [allows you to see your own protected health information](#). Often though, entities covered by HIPAA—and even some that aren't—are so gun shy about releasing protected health information that they will not allow an individual to see her own records.

To help avoid these scenarios, HHS has provided some Frequently Asked Questions (with answers, which is always helpful) on the topic. They address the following issues and more:

- Can you charge a fee for providing the info? Yes, but the devil is in the details.
- Does HIPAA override state laws that require you to provide a free copy of the records? Nope.
- When can a family member access an individual's information?
- What information does an individual have a right to access? More than they want.
- For what reasons can you deny access to someone's own personal health information? There aren't many, but there are a few.
- How quickly does the entity have to provide the information? 30 days unless they get an extension.

The FAQ fun continues [here](#).

Compass Point: If you are an employer who administers your employees' health plans or have some responsibilities for those plans, you or someone you don't like needs to get a large latte and sit down with these FAQs. If nothing else, keep the link for reference so you can show off your HIPPA expertise down the road.