

PRIVACY 18.0

PATIENT RIGHTS UNDER THE HIPAA PRIVACY RULE

Scope: All [workforce](#) members (employees and non-employees), including employed medical staff, management, and others who have direct or indirect access to patient [protected health information \(PHI\)](#) of any subsidiaries of Universal Health Services, Inc., including facilities and UHS of Delaware Inc. (collectively, “UHS”), including UHS [covered entities](#) (“Facilities”).

Purpose: This policy provides an overview of patient rights under the [HIPAA Privacy Rule](#).

Definitions:

Terms not defined in this Policy or the *HIPAA Terms and Definitions* maintained by the UHS Compliance Office will have the meaning as defined in any related State or Federal privacy law including the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (“HIPAA”) and regulations promulgated thereunder by the U.S. Department of Health and Human Services (“HHS”) at 45 CFR Part 160 and 164, Subparts A and E (“Privacy Regulations” or “Privacy Rule”) and Subparts A and C (“Security Regulations” or “Security Rule”), the Health Information Technology for Economic and Clinical Health Act (“HITECH”) privacy and security provisions of the American Recovery and Reinvestment Act (Stimulus Act) for Long Term Care, Public Law 111-5, the American Recovery and Reinvestment Act of 2009 (“ARRA”), Title XIII and related regulations.

Policy:

Recognizing the importance of a patient’s privacy rights, UHS maintains a comprehensive system of policies and procedures to help ensure that a patient’s privacy rights are protected. Below is a summary of patient rights and the policies that address them. Patients will receive a description of their individual privacy rights in the Facility’s notice of privacy practice, as described under UHS Privacy 4.0 *Notice of Privacy Practices*.

Patient’s Right to Request a Restriction on the Use or Disclosure of PHI

Patients have the right to request that a Facility restrict the [use](#) or [disclosure](#) of [PHI](#) for treatment, payment or health care operations; the [disclosure](#) to persons involved in their health care or payment for health care; and/or [disclosures](#) to notify family members or others about the individual’s general condition, location or death. The process for handling a patient’s request to restrict the [use](#) or [disclosure](#) of their [PHI](#) is outlined in UHS Privacy 21.0 *Patient’s Rights to Request Use or Disclosure Restrictions and Alternative Communications*.

Patient's Right to Confidential Communications

Patients are entitled to request that communications of PHI from the Facility be made by alternative means or at alternative locations as described in UHS Privacy 21.0 *Patient's Rights to Request Use or Disclosure Restrictions and Alternative Communications*.

Patient's Right to Revoke an Authorization

An authorization from a patient to use or disclose PHI may be revoked at any time if the revocation is in writing, except to the extent that the PHI has already been disclosed in reliance on the authorization, or the authorization was obtained as a condition of obtaining insurance coverage. UHS Privacy 3.0 *Use or Disclosure of Patient PHI Pursuant to Patient Authorization* describes this process.

Patient's Right to Inspect and Copy PHI

Individuals have a right to review and obtain a copy of their PHI in a Facility's designated record set, a group of records that is maintained by or for the Facility that is used, in whole or part, to make decisions about patients, except in certain circumstances. Access is provided in accordance with UHS Privacy 19.0 *Patient's Request to Access PHI*.

Patient's Right to Amend PHI

Individuals have the right to request that Facilities amend their PHI in a designated records set. The process for receiving and acting on a patient's request to have their PHI amended is described in UHS Privacy 20.0 *Patient's Request to Amend PHI*.

Patient's Right to an Accounting of Disclosures

Patients have a right to an accounting of the disclosures of their PHI by a Facility or its business associates that were made in the six years prior to a request for an accounting. The procedure for providing an accounting of disclosures is described in UHS Privacy 23.0 *Accounting of Disclosures*.

Patient Complaints

Patients have the right to submit a complaint to the Facility or the Secretary of the Department of Health and Human Services in accordance with UHS Privacy 22.0 *Patient Complaints* and as described in UHS Privacy 3.0 *Use or Disclosure of PHI Pursuant to Patient Authorization*. Patients will be notified of the right to submit a complaint in the Facility's Notice of Privacy Practice, in accordance with UHS Privacy 4.0 *Notice of Privacy Practices* and its attachments.

Notification of Breach of Unsecured PHI

Patients are entitled to notification of a Breach of their [unsecured PHI](#) in accordance with UHS Privacy 2.0 *Breach Notification*.

References:

45 C.F.R. § 164.414
45 C.F.R. § 164.502
45 C.F.R. § 164.506
45 C.F.R. § 164.512
45 C.F.R. § 164.520
45 C.F.R. § 164.522
45 C.F.R. § 164.524
45 C.F.R. § 164.526
45 C.F.R. § 164.528
45 C.F.R. § 164.530

Related UHS Policies:

UHS Privacy 23.0 *Accounting of Disclosures*

UHS Privacy 4.0 *Notice of Privacy Practices*

UHS Privacy 22.0 *Responding to Patient Complaints*

UHS Privacy 19.0 *Patient's Request to Access PHI*

UHS Privacy 20.0 *Patient's Request to Amend PHI*

UHS Privacy 21.0 *Patient's Rights to Request Use or Disclosure Restrictions and Alternative Communications*

UHS Privacy 3.0 *Use or Disclosure of Patient PHI Pursuant to Patient Authorization*

Revision Dates: 10-12-2017; 11-16-2015;
07-22-2013

Implementation Date: 07-25-2011

Reviewed and Approved by:

UHS Compliance Committee