

How to Manage Requests for Restriction of Disclosure of PHI



The HIPAA Privacy Rule grants patients the right to request restrictions on the use and disclosure of their health information. Below are a few examples of these types of requests:

A patient tells their nurse that they have recently separated from their spouse and they no longer want their spouse to have any information regarding their appointments.

A patient presents for an office visit and tells you that they have insurance on file, but they do not want to use it for the visit and do not want any information related to this service provided to their insurance company. They plan to pay out of pocket for the visit.

A patient has transitioned care to one of our providers. During the exam, the patient informs the physician that they do not want any records to go to their former internist.

The patient does not want PHI to be sent to their home address; they want it sent to a PO Box. This would be a request for confidential communications of PHI.

Each of these scenarios represents different types of a request for restriction of the use of disclosure of PHI. All Requests for Restriction must be reported to the HIPAA Privacy Office so that the Privacy Office may take the appropriate action to address the patient's request in accordance with the HIPAA Privacy Rule.

Each person working with our patients' health information is responsible for understanding and following our process for handling Requests for Restriction. By following a few basic tips, our response to a patient's request for restriction of the use and disclosure of their health information can be easy and compliant.

Basic Information:

All clinical areas should have the Restriction Request forms available at the front desk or check in area of the clinic. The form along with our policy and procedure for Request for Restriction can be downloaded from the University's HIPAA website, hipaa.wustl.edu.

If the patient is requesting a restriction on disclosure of PHI to their health plan ("Self-Pay Restriction"), certain conditions must be met before we can agree to the restriction.

- The request must be placed before the service occurs.
- The patient must pay in full for the service prior to or at the time the service is provided.
- The patient must also place their restriction request with any ancillary services (labs, pharmacy, etc.) that may be a part of the visit.

Next Steps

Provide the patient with a copy of the Request for Restriction form specific to their request.

Submit the completed form to the HIPAA Privacy Office so that the request may be considered and responded to within the appropriate timeline.

If the patient is requesting a restriction on disclosure to their health plan, have the patient complete the request form, then immediately fax the form to PBS and HIPAA Privacy office so that the account can be set up appropriately. In the interim, make sure the FSC for the self-pay visit is PRP.