COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE POLICY AND PROCEDURES MANUAL				
Chapter **Program Quality**	**Section** **HIPAA**	**Chapter** **05**	**Section** **03**	**Subject** **06**
Subject **Accounting of Disclosures**	**Authorization**		**Approved: 04/08/03** **Replaces: None**	

Updated: October 2024; Reviewed/No Update: October 2025

I. PURPOSE: To establish policy and procedure for the accounting of disclosure of information from a recipient's record.

II. APPLICATION: All programs of the Gogebic Community Mental Health Authority (GCMHA).

III. DEFINITIONS:

Disclosure: release, transfer, provision of access to, or divulging in any other manner of information outside the entity holding the information.

IV. POLICY: Gogebic Community Mental Health Authority will assure that recipients have the right to receive an accounting of disclosures of protected health information made by GCMHA.

V. PROCEDURE:

A. A recipient has the right to receive an accounting of disclosures of protected health information made by GCMHA. The recipient may request an accounting for any period of time, up to a maximum of six years prior to the date on which the accounting is requested. The following types of disclosures are exempt from inclusion in an accounting of disclosures:

1. to carry out treatment, payment and healthcare operations;
2. to individuals of protected health information about them;
3. pursuant to an authorization;
4. to persons involved in the recipient's care;
5. for national security or intelligence purposes;
6. to correctional institutions or law enforcement officials;
7. as part of a limited data set;
8. that are merely incidental to another permissible disclosure;
9. that occurred prior to April 15, 2003.

B. When a request for an accounting of disclosures is received from a recipient, the Privacy Officer

1. Determines the acceptability and credibility of the request.
2. If the request for accounting is acceptable, notify the Medical Records Supervisor to prepare an accounting of disclosures report.

C. The accounting of disclosures to a recipient must include the following information for each disclosure:

1. Date of the disclosure.
2. Name and address (if known) of the organization or person who received the PHI.
3. Description of the PHI disclosed. This includes document type and date of service.
4. Brief statement of the purpose of the disclosure or a copy of the written request for disclosure.

D. The accounting of disclosures must be provided to the requesting party as soon as is reasonably possible, but no later than 60 days after the receipt of the request. If unable to comply within the 60-day period the response period may be extended for a maximum of 30 days by sending the requesting party a written statement of the reasons for the delay and the date the GCMHA will provide the accounting.

E. GCMHA will provide one accounting every 12-month period commencing with the date of the first request. For any subsequent requests within the 12-month period, GCMHA may charge a cost-based fee, provided the individuals are notified in advance of the fee and provided the opportunity to withdraw or modify their request to eliminate or reduce said fee.

F. Copies of the request for an accounting of disclosures and the accounting of disclosures will be maintained in the recipient's medical record.

VI. REFERENCES AND LEGAL AUTHORITY: 45 CFR Part 164 Section 528.

VII. EXHIBITS: None