

*Issuing Department:* Internal Audit, Compliance, and  
Enterprise Risk Management

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## **Right to Request an Amendment**

### **Policy**

NYU Langone Health is committed to maintaining

1. The patient must submit the request in writing, by completing a *Request to Amend Protected Health Information* form and submit it as follows:
  - to amend Tisch Hospital, Rusk Rehabilitation, NYU Langone Orthopedic Hospital, and other NYU Langone Hospitals site records not listed, submit to: Patient Relations Office 550 1<sup>st</sup> Ave, NY, NY 10016 (212-263-6906) or the NYU Langone Health (212-

- The appropriate Workforce Member will notify the patient in writing of the decision and will make reasonable efforts to provide the amendment to persons identified by the patient and to persons, including Business Associates, whom NYU Langone Health knows has the information that is the subject of the patient's request.
  - The amendment must be released whenever the information at issue is Disclosed. If the information is Disclosed through an electronic transaction that does not permit inclusion of the amended material, HIM personnel or the appropriate Workforce Member must separately transmit the amended material.
- ii. If the patient's request to amend is denied, in whole or in part:
- The appropriate Workforce Member will notify the patient in writing of the decision using the *Request to Amend Protected Health Information-Denied* template letter, including:
    - the ground for denial,
    - a statement of the patient's right to submit a statement of disagreement not to exceed 500 words,
    - a statement that the patient may alternatively request that NYU Langone include the patient's form and the denial letter when disclosing information to others in the future, and
    - a description of how the patient may complain to the NYU Langone Privacy Officer, the U.S. Secretary of the Department of Health and Human Services, and the New York State Department of Health (or other appropriate oversight agency).
6. NYU Langone Health may prepare a written rebuttal to the patient's written statement to be included in the patient's record and released whenever the information at issue is released. NYU Langone Health must provide a copy of the rebuttal statement to the patient.
7. If NYU Langone Health is informed, by another provider, of an amendment to a patient's record, Workforce Members, in consultation with IACERM, will make the requested amendment and will date and sign any amendment that is made in accordance with NYU Langone Health policy.
8. HIM, practice managers, and/or the clinician of record are responsible for ensuring that the patient's form, denial letter, if any, rebuttal statement, if any, and NYU Langone Health's rebuttal statement, if any, are appended to the record and information at issue, whether in paper or electronic form (e.g., scanned into Epic) and included in any subsequent Disclosure of the information at issue.

### **Related Documents**

Designated Record Sets

HIPAA Privacy Policies, Procedures, and Documentation

HIPAA Privacy Policies and Procedures Definitions

Request to Amend Protected Health Information-Denied template

Request to Amend Protected Health Information form

Right to Inspect and Obtain PHI

**Legal Reference**

45 C.F.R. §164.526

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This version supersedes all NYU Langone Health (as defined in this Policy) previous policies, including but not limited to NYU Hospitals Center, New York University School of Medicine, Lutheran Medical Center, and Winthrop University Hospital.