Policy Statement
The purpose of this procedure is to assist the Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) clinic personnel on how to handle patient requests that TTUHSC El Paso not disclose their protected health information (PHI) to their health plans or other third party insurance carriers.

Scope
This policy applies to all health care clinical service areas owned and/or operated by TTUHSC El Paso.

Procedure
1. Patient invokes their right to pay out of pocket in full, and not release their chart information or bill his/her insurance company.

2. Provide the patient an explanation of his/her right not to release the information found in the Patient Right to Restrict Protected Health Information to Health Plan memo and ask the patient to fill out the “Request: Restriction disclosure to Health Plan”

3. Collect the payment of $215.00 for new patients and $175 for established patients.

4. Call the Office of Institutional Compliance at 215-4454 and ask to speak to the Privacy Officer. The compliance office will highlight the key points of patient rights. It will be very important to state that if the check is returned for insufficient funds, a letter will be sent revoking the patient’s rights.

5. Make a copy of the signed form for the patient.

6. Scan into patient’s electronic medical record (EMR).

7. Front desk staff opens the chart in the EMR and starts the clinic office visit update.

8. In the “Confidentiality Type” field of the update chart window, select “Do Not Release”.

References: Federal Register/Vol. 78, No. 17, 01/25/2013
Note:**Designating the document with this confidentiality type will make the document only viewable by TTUHSC El Paso employees (no outside auditors) and a reminder for billing staff not to bill insurance or release documentation to the insurance company.


**Athena Flow EMR**

Below is a screenshot of what the document looks like when Do Not Release is selected. The office visit summary states Ofc visit (DNRel)

**CERNER**

Clinic personnel may request that a patient chart be locked. Only staff granted access to these locked charts may review the patient chart. EMR staff are the only individuals with access to lock a patient chart.

Below are the screenshots of how a patient chart is locked. Note that only the patient Current and historic encounters are locked, any new encounters will not be locked. This process will need to be repeated if additional encounters need to be locked.

Once the patient chart is locked, only staff granted access can review the chart.
A locked chart will appear as follows:

10. Front desk staff opens the patient chart in Athena IDX. Go to the patient services tab. Click on “Appointment list.”

11. Click on the Appointment time
12. Clinic on the “Patient Request for Self-Pay.” Charges linked to this appointment will be restricted from the insurance billing. Invoice to self-pay and FSC cannot be billed.

Knowledge of a violation or potential violation of this policy must be reported directly to the Institutional Privacy Officer or the Fraud and Misconduct Hotline at (866) 294-9352 or [www.ethicspoint.com](http://www.ethicspoint.com) under Texas Tech University System.

**Frequency of Review**

This policy will be reviewed on each odd-numbered (ONY) by the Institutional Privacy Officer, and the HIPAA Privacy and Security Committee, but may be amended or terminated at any time.

Questions regarding this policy may be addressed to the Institutional Privacy Officer or the Institutional Compliance Officer.

**Attachments**

Attachment A: Request: Restrict Disclosure to the Health Plan (English)
Attachment B: Request: Restrict Disclosure to the Health Plan (Spanish)
Attachment C: Patient Right to Restrict Protected Health Information to Health Plan (English)
Attachment D: Patient Right to Restrict Protected Health Information to Health Plan (Spanish)

**Review Date:** March 3, 2023

**Revision Date:** July 16, 2019, January 19, 2021, May 16, 2023