

# patientprivacyrights

## Health Privacy Rights

### Health Privacy “Rights” Under HIPAA

- Receive **notice** of how providers **use and share** your information with over 4 million “covered entities”, **without asking you** (“Privacy Notice” or “Notice of Privacy Policies”).
- The right to a copy of your health records. The provider may charge a “reasonable fee” for such copies.
- You can **request changes** to your health records. The provider does NOT have to make the changes requested. Your changes must be added to your records and the provider has to state reasons s/he disagrees with changes.
- You can **request an accounting of disclosures** of your health information. Most disclosures do not require consent and have no audit trails. Audit trails are required only for disclosures for “non-routine” uses.
- Health establishments and “covered entities” are required to **secure information** to the best of their ability, and a **privacy official** must be designated by each “covered entity.”
- The ADA prohibits an employer from asking about health information or requiring a physical prior to an offer if they have more than 15 employees. After the offer is made, the employer may require a medical exam if it is required by all employees with similar positions. Employers may also ask employees to authorize disclosure of their medical records. **But, if the employer is self-insured they can access their employees’ medical information without consent.**

**Job discrimination is the most common complaint sent in to Patient Privacy Rights.**

*These rights are based on thousands of years of medical ethics, our own Constitution and state laws. None of these rights are provided by HIPAA.*

### Health Privacy Rights You Should Have

- Right to **control** who can see, use, share and sell your health information.
- Right to **feel safe talking truthfully** to your doctors.
- Right to privacy and control of health information unless otherwise stated or required by law.
- Right to be **notified of any breach** or possible breach of information.
- Right to **audit trails** of every disclosure of health information. Health IT makes it easier than ever to know exactly who has your information.
- Right to EHR and PHR systems that have the highest standards for **security (keep hackers out)**.
- Right to participate in **research** and have researchers access your records **ONLY** if you give informed consent
- Right to **segment sensitive information** such as mental health, addiction or STDs, in your health record.
- Right to obtain **prescriptions** with privacy; no one should be able to use or sell your prescriptions without your consent.
- Right to obtain **employment, insurance, credit, admission to schools**, etc. without being compelled to share health information unless required by statute.

Patient Privacy Rights is working to ensure **these rights** are guaranteed by Congress.