

CENTRAL VIRGINIA COMMUNITY SERVICES

POLICY AND PROCEDURES

REQUEST FOR AMENDMENT OF THE MEDICAL RECORD

POLICY STATEMENT:

It is the policy of Central Virginia Community Services (CVCS) to respond to the request of an individual served to amend the medical record of that individual if the individual believes information in his/her service record is incomplete or incorrect.

DEFINITIONS:

“Agency” --- Used throughout these policies to mean Central Virginia Community Services.

PROCEDURES:

1. After reviewing his/her health information, the individual served may request an amendment to the information in the record.
 - a. The individual served requests in writing an amendment to his/her primary service coordinator, including the reasons why he/she wants an amendment to the information.
 - b. The agency has 60 days to act on the request to amend the information. If the agency cannot act on the request within 60 days, the agency may extend the time period once for an additional 30 days. The agency will write a letter to the individual served explaining the need and reasons for an additional 30 days and the expected date the decision about the request will be made.
2. In response to a request to amend health information, the agency:
 - a. May deny the request if the information was not created by the agency;
 - b. **May deny the request if the individual who created the information that the individual served wants amended is no longer an employee of the agency;**
 - c. May deny the request if the information in the record is currently accurate and complete.
3. If the agency denies the request to amend the information, the agency shall:
 - a. Write the individual served a letter explaining the reason(s) for the denial.
 - b. Explain in the denial letter steps the individual served may take to appeal the agency's decision.

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PROCEDURES:

- c. Explain in the denial letter that if the individual served does not appeal the agency's decision, he/she may request the agency to include the request for amendment by the individual served and the denial with any future releases of the disputed health information.
- d. Explain how the individual served may file an appeal to the agency by giving the individual the name, address, and telephone number of the Privacy Officer.
- e. Review a written appeal statement from the individual served disagreeing with the denial of all or part of the requested amendment.
- f. Prepare a written response to the statement of disagreement of the individual served and provide a copy to the client.
 - (1) Identify the information that the individual served wanted amended and attach the client's request for amendment, the agency's denial of the request, the client's statement of disagreement and the agency's written rebuttal.
 - (2) **Include the request for amendment by the individual served and the denial to make the amendment with any future releases of the information if the client has not submitted a written statement of disagreement.**
4. **If at any point the agency honors the request for amendment:**
 - a. The agency shall make the amendment. The minimum amendment accepted is identifying the information to be amended then providing a link to the amended information.
 - b. Inform the individual served that the amendment(s) is accepted.
 - c. Obtain from the individual served the names and addresses of individuals who need to have the amended information.
 - d. Attempt to reach those individuals who need to have the amended information.
 - e. **Attempt to contact other persons or business associates regarding the amended information if the information was detrimental to the client.**
5. Document in the progress notes of the individual served's medical record the names and titles of the employees responsible for receiving and processing the request for amendment.

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APPROVED BY:

Executive Director: _____

Division Director: _____

Board: _____

Reviewed						
Revised						
Effective						