Report on Patient Privacy Volume 20, Number 10. October 08, 2020 Psychiatrist in Access Settlement 'Never Saw a Request'

By Theresa Defino

Last month, the HHS Office for Civil Rights (OCR) announced five settlement agreements with organizations it said had violated the right of access to medical records included in the privacy rule.[1] Of these, Dr. Brian Wise, a psychiatrist in Centennial, Colorado, shared his experiences with *RPP*.

At $10,000, Wise's is the second smallest payment among the five, which also calls for a one-year corrective action plan (CAP).[2] Wise signed the agreement in August. According to OCR, a parent had contacted Wise's practice in November 2017 via certified letter seeking his minor son's records. They were eventually provided "as a result of OCR's investigation" in May of last year, OCR said.

But, in an email to *RPP*, Wise denied any involvement in the handling of the original request and said he first learned there was an issue from OCR. He has relocated and implemented access procedures and training, he said. Wise's situation may sound familiar to providers in shared spaces, and should send a reminder to larger covered entities that some in their networks may need help with HIPAA compliance.

This document is only available to subscribers. Please log in or purchase access.

Purchase Login

Copyright © 2024 by Society of Corporate Compliance and Ethics (SCCE) & Health Care Compliance Association (HCCA). No claim to original US Government works. All rights reserved. Usage is governed under this website's Terms of Use.