

V. POLICY

A. Requirements:

1. Units must permit an individual to request that it restrict:
 - uses and disclosures of PHI about the individual to carry out treatment, payment or health care operations (TPO); and
 - disclosures related to involvement in an individual's care.

The Request for Restriction of Health Information form can be accessed at the following website:

<http://www.umdj.edu/complweb/policies/hipaapols/RequestforRestrictionForm.pdf>.

2. Units may, however, deny the request.
3. All requests for restrictions and termination of the agreement to restrict must be in writing.
4. All requests made for restrictions to PHI must be made to the individual designated by the Dean, President/CEO of the Healthcare Unit and/or Unit Privacy Officer.

B. Responsibilities:

1. UMDNJ must review all requests that are made by individuals to restrict use and disclosure of the individuals PHI; however, UMDNJ is not required to agree to the restrictions requested if UMDNJ determines that the restrictions would interfere with legitimate treatment, payment or health care operations.
2. If a unit agrees to an individual's restriction request, the restriction must be appropriately documented and such documentation be retained. Also, the restriction must be communicated in a manner as to assure that anyone accessing the information becomes aware of the restriction. For example, clearly indicate the restriction on the face of the chart or somewhere obvious to anyone accessing the chart.
3. If a unit agrees to an individual's restriction request, UMDNJ is not permitted to use or disclose the specified PHI in any manner, except in the event that the individual is in need to emergency treatment and the restricted PHI is needed to provide such treatment. In this case, the unit may use the restricted PHI or disclose the PHI to a healthcare provider to provide such treatment to the individual. In this event, UMDNJ must request that such health care provider not further use or disclose the information.
4. A unit may terminate its agreement to a restriction if:
 - the individual agrees to or requested the termination in writing;
 - the individual orally agrees to the termination and the oral agreement is documented; or
 - the unit informs the individual that it is terminating its agreement to restriction.
5. In the event that a unit, for any of the above mentioned reasons, terminates the agreement to restriction, the termination is only effective with respect to PHI created or received after it has so informed the individual.

By Direction of the President:

Vice President for Legal Management