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The Road So Far: The Scope of OCR's HIPAA Right of Access Initiative, ABA: The Health Lawyer, by Henry Norwood

The right of a patient to access his or her medical information is among the most essential services a healthcare practitioner can provide. Accessing one's medical information allows patients a degree of control over their health and provides for patient autonomy regarding private, often sensitive information. The importance of this right of access has led the Department of Health and Human Services (HHS), through its Office for Civil Rights (OCR), to prioritize patients' rights to their health information.

As a matter of professional practice, as well as to avoid an OCR investigation, healthcare providers should be aware of OCR's efforts to prioritize patients' right of access and the scope of its efforts over the past three years…

Conclusion: The wide-ranging scope of OCR's HIPAA Right of Access Initiative demonstrates the need for healthcare organizations to implement technical and administrative measures to ensure timely access to health record requests. OCR has given no indication its Initiative is ending soon. In the course of their practice, healthcare providers should be aware of the right of access requirements and the scope of OCR's Initiative demonstrated by the nineteen settlement agreements, to reduce the risk of right of access violations and ensure patients may adequately exercise their rights of access.

This article was written by Henry Norwood, Associate at KD's Orlando, FL office. For the full article, subscribers may go to the link below.

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