

Health Information Compliance Alert

READER QUESTIONS: SIGNED, SEALED, DELIVERED--IT'S YOURS

Question: After a patient signs an authorization form for the release of protected health information, are we required to give her a copy of the signed authorization form?

Answer: The HIPAA privacy regulations do entitle the patient to receive a copy of the signed authorization form, asserts attorney **Stephen Bernstein** with McDermott Will & Emery in Boston.

Under HIPAA's authorization provisions, the regs state that "if a covered entity seeks an authorization from an individual for a use or disclosure of protected health information, the covered entity must provide the individual with a copy of the signed authorization." Bernstein recommends that "it would be a good idea to have a kind of multi-carbon form" for your patient authorizations, so that you can easily give your patients a copy of the form right after they've signed it.