



16 Amendment of PHI

16.1 Policy

In accordance with section 164.526 of the Privacy Rule, members have the right to request amendment of their health information. In addition, in accordance with that section, the right to amend the information may be denied by the covered entity under certain conditions. It will be DCH's decision as to grant or deny such amendments to claims data maintained by HP Enterprise Services as a BA to DCH.

HP Enterprise Services does not reply to requests for a PHI amendment from anyone other than DCH (refer to section 10, Member Access to Own Protected Information, for detailed instructions). The instruction to make an amendment must be in writing from DCH and no other source. The DCH policy on amending PHI refers the member, or his/her authorized representative, to the provider because the provider was the originator of the claim information.

Amendment of PHI is a billable activity per Amendment 63:

"The Contractor agrees to amend PHI to the extent that the Contractor maintains the data in a Designated Record Set. Amendments to PHI will only be made at the request of the State as the Covered Entity under HIPAA. Amended information will be provided to the State as the Covered Entity or to an Individual as directed by the State in order to meet the requirements of 45 CRF 164.524. The State shall reimburse HP Enterprise Services for technical support for generation of PHI data reports associated with the provision of PHI at the contractually agreed upon Systems Engineer and Business Analyst rates."

16.2 Procedure

Upon receipt of a written authorization from DCH to amend PHI, one of two actions may occur.

1. The provider may submit a claim adjustment or new claim. HP Enterprise Services processes this in accordance with standard processing procedures.
2. DCH may request that a system change request be initiated that requires systems engineer (SE) intervention. Refer to Attachment 4, PHI Amendment Log.

It is anticipated that DCH will want proof of the claim action having taken place, in which case such claims will be special-batched. The HP Enterprise Services privacy and security officer and the appropriate manager (claims, adjustments, and/or systems) shall coordinate with each other on the processing of such a claim. HP Enterprise Services recommends that DCH instruct providers who amend PHI through a re-submitted claim or claim adjustment submit that claim on paper and send it to a DCH designated officer. DCH sends this claim form to the HP Enterprise Services privacy and security officer, who coordinates with the appropriate manager to get the claim special-batch processed. This overall procedure allows for the logging and tracking of such amendments to PHI.



The HP Enterprise Services privacy and security officer must be included in the distribution of any written request from DCH where data modifications (beyond the normal adjustments process) are required. The HP Enterprise Services privacy and security officer logs the case and coordinates the completion of the request, including the opening of a CO if required. DCH indicates the priority of the work. Once the work is completed, the appropriate internal reviews are performed, notification of completion is provided to DCH (with any necessary documentation), and the successful completion recorded in the list maintained by the HP Enterprise Services privacy and security officer.

