1. **Policy Statement**

This policy covers the rights of patients to request a restriction relating to the use and disclosure of their individual health information. This policy applies to:

a. Rutgers University employees who are employed within covered entities that are a part of Rutgers Biomedical and Health Sciences ("RBHS"), RBHS researchers as well as any independent contractors engaged by RBHS; and

b. Any Rutgers University employees who are employed by a Rutgers school, unit or department that is a covered entity and that bills federal and/or state programs for the provision of medical care to patients, any researchers in the school, unit or department as well as any independent contractors engaged by the affected school, unit or department. For purposes of this policy, the groups and entities described in (a) and (b) above shall be referred to as “RBHS Covered Entity” or “RBHS Covered Entities.”

2. **Reason for Policy**

To establish guidelines for assuring that all RBHS Covered Entities that create designated record sets containing Protected Health Information (PHI) have a process to respond to patient requests for restrictions on the use and the disclosure of their individual health information.

3. **Who Should Read This Policy**

This policy shall apply to health information that is generated during provisions of health care to patients in certain patient care units, patient care centers or faculty practices as well as Human Subjects research including:

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All regulations and procedures are subject to amendment.
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a. Covered entities and their employees who are a part of Rutgers Biomedical and Health Sciences ("RBHS"), RBHS researchers as well as any independent contractors engaged by RBHS; and

b. Any Rutgers University covered entities and their employees who bill federal and/or state programs for the provision of medical care to patients as well as any independent contractors engaged by the affected school, unit or department.

i. For purposes of this policy, the groups and entities described in (a) and (b) above shall be referred to as “RBHS Covered Entity” or “RBHS Covered Entities.”

c. Business Associates of the RBHS Covered Entities.

d. Other University departments that assist the RBHS Covered Entities in certain activities including, but not limited to, the Office of Information Technology and the Office of the Senior Vice President and General Counsel.

4. Related Documents

A. Code of Federal Regulations Title 45, Section 164, Part 522, Right to Request Privacy Protection for Protected Health Information

B. Uses and Disclosures of Health Information With and Without an Authorization – Policy 100.1.8

C. Standards for Privacy of Individually Identifiable Health Information – Policy 100.1.9

D. Access of Individuals to Health Information – Policy 100.1.4

5. Contacts

RBHS Office of Ethics, Compliance and Corporate Integrity: 973-972-8093

6. The Policy

100.1.8 REQUESTS FOR RESTRICTION OF USES AND DISCLOSURES OF PROTECTED HEALTH INFORMATION

Definitions

A. Protected Health Information (PHI): Protected health information means individually identifiable health information that relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual or the past, present or future payment for the provision of health care to an individual and identifies or could reasonably be used to identify the individual.

1. Except as provided in paragraph two (2) of this definition that is: a) transmitted by electronic media; b) maintained in electronic media; or c) transmitted or maintained in any other form or medium


B. Designated record set - Medical or billing records about individuals maintained by or for a healthcare provider; the enrollment, payment, claims adjudication, and case or medical
All regulations and procedures are subject to amendment.
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5. In the event that a RBHS Covered Entity, 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.