



HIPAA Privacy Procedure #14

Effective Date: April 14, 2003
Reviewed Date: February, 2011
Revised Date:
Scope: Radiation Oncology

Use or Disclose of Psychotherapy Notes

Policy Expectation:

Washington University (WU) has adopted a policy to assure that the WU Workforce who create, Use, or Disclose Psychotherapy Notes, as defined by HIPAA, are compliant with the HIPAA Privacy Regulations.

The policy defines the need to have a written Authorization for any Use or Disclosure of Psychotherapy Notes. *Each Individual needs to be informed regarding his/her rights and the WU legal duties with respect to Psychotherapy Notes. Each Individual does not have a right to receive a copy of his or her Psychotherapy Notes, which are excluded from the definition of Protected Health Information (PHI).*

Why is this important?

- Compliance with all HIPAA privacy regulations is required of all WU Business Units Using or Disclosing PHI.
- Failure to comply may result in WU being liable for civil or criminal penalties.

STEPS:

The health care workers in the Department of Radiation Oncology have no access to psychotherapy notes, therefore Washington University HIPAA Privacy Policy #14 is not applicable to this department. The psychiatric medical record, however, may be accessed during / for treatment of individual and is subject to any restrictions that apply to Use or Disclosure of medical records in general.