Types of Disclosures that will not be included are those made:

- for Treatment, Payment, or Health Care Operations,
- to the patient or their Personal Representative,
- in accordance with the patient's written Authorization,
- incidental to a permitted disclosure,
- to family or friends involved in the patient's care or for notification purposes,
- for national security or intelligence purposes,
- to law enforcement or correctional institutions about an inmate or other person in legal custody, and
- made for the creation of De-Identified Information or a Limited Data Set.

NYU Langone Health must temporarily suspend a patient's right to receive an accounting of Disclosures that are made to a health oversight agency or to a law enforcement agency if the agency so requests as follows:

- The agency provides NYU Langone Health with a written statement that providing an accounting of Disclosures is reasonably likely to impede the agency's activities. The agency must specify the time for which suspension is required.
- The agency orally informs NYU Langone Health that providing an accounting of Disclosures is reasonably likely to impede the agency's activities. If an oral statement is made, Workforce Members must document the statement and the identity of the agency making the statement. NYU Langone Health must temporarily suspend the patient's right to an accounting of the particular Disclosures covered by the statement for no longer than 30 days. If the agency provides a written statement within 30 days of the oral statement, NYU Langone Health must temporarily suspend the patient's right to an accounting of the particular Disclosures for the time specified in the written statement.

The request form and the accounting provided to the patient will be retained by IACERM.

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1. All requests for an accounting of Disclosures must be submitted in writing, using the *Request for an Accounting of Disclosures* form, to the Office of Internal Audit, Compliance, and Enterprise Risk Management ("IACERM").

2. Upon receipt of the completed form IACERM will gather the requested information by:
    - obtaining a Patient Disclosure Report from Epic,
    - obtaining a report from the Accounting for Disclosures Database (including any reports with respect to archived database within the covered timeframe),
    - obtaining the Protocol List from the Institutional Review Board ("IRB"),
    - contacting Business Associate(s) as necessary to request the information required (or providing the Business Associate(s)' contact information to the patient for direct submission of their request), and
    - querying any other system or paper records that contain patient disclosures (e.g., CDC National Healthcare Safety Network; the Electronic Clinical Laboratory Reporting System).

3. IACERM will attach the Protocol List to the accounting of Disclosures. The IRB must, at the patient's request, assist the patient in contacting the research sponsor and the researcher if there is a reasonable likelihood that the patient's PHI was actually disclosed for the Research protocol or activity.

4. Each Disclosure must include:
    - the date of the Disclosure,
    - the name of the entity/person receiving the PHI and, if known, the address of such entity or person (to the extent this does not violate the HIPAA Rules),
    - a brief description of the PHI that was Disclosed, and
    - a brief description of the purpose of the Disclosure or, in lieu of such statement, a copy of a written request for a Disclosure under §§ 164.502(a)(2)(ii) or 164.512, if any.

        If, during the accounting period requested, multiple Disclosures were made to the same person or entity for a single purpose, the accounting may list the information above in addition to the frequency, periodicity, or number of disclosures made during the accounting period and the date of the last such disclosure during the accounting period.

5. Each disclosure made to an external researcher for a particular Research purpose involving 50 or more individuals pursuant to an IRB Waiver of Authorization must include:
    - the name of the protocol or other mld-6 (c)5 uvdxwxniv Aut98.831 Tf1.5 0 Td(a)Tj0.44 0 T

45 C.F.R. §164.528