

Addendum I

ELEMENTS REQUIRED FOR A VALID HIPAA AUTHORIZATION

Authorization Core Elements (Privacy Rule, 45 CFR §164.508(c)(1))

1. A description of each purpose of the requested use or disclosure of PHI.
2. A description of PHI to be used or disclosed (identifying the information in a specific and meaningful manner).
3. The person(s) or class of persons authorized to make the requested use or disclosure.
4. The person(s) or class of persons who may use the PHI or to whom the Covered Entity may make the requested disclosure.
5. An expiration date or event that relates to the individual or to the purpose of the use or disclosure (the terms “end of the research study” or “none” may be used for research).
6. Signature of the individual and date. If the Authorization is signed by an individual’s personal representative, a description of the representative’s authority to act for the individual must be included.

Authorization Required Statements (Privacy Rule, 45 CFR §164.508(c)(2))

1. The individual’s right to revoke his/her Authorization in writing.
2. Any exceptions to the right to revoke and a description of how the individual may revoke Authorization.
3. Clarification that the Covered Entity is not permitted to condition the provision of treatment on the execution of a valid Authorization. However, for Authorizations granted for research purposes, the Covered Entities are permitted by the Privacy Rule to condition the provision of research related treatment on the patient completing a valid Authorization.
4. An explanation that there is a potential for the PHI to be re-disclosed by the recipient of the information and that the recipient may not be required to comply with the Privacy Rule.

Additional Rules involving the Authorization include the following:

1. The Authorization must be written in plain Language; and
2. The Covered Entity must provide the subject with a signed copy of the Authorization.