550 - MEMBER RECORDS AND CONFIDENTIALITY

I. PURPOSE

This Policy applies to AHCCCS Complete Care (ACC), ALTCS E/PD, DCS/CMDP, DES/DDD (DDD), and RBHA Contractors; Fee-For-Service (FFS) Programs as delineated within this Policy including: Tribal ALTCS, and the American Indian Health Program (AIHP); and all other AHCCCS providers, as applicable. This Policy establishes requirements regarding member records and confidentiality.

II. DEFINITIONS

INTEGRATED MEDICAL RECORD

A single document in which all of the medical information listed in Chapter 900 of the AMPM is recorded to facilitate the coordination and quality of care delivered by multiple providers serving a single patient in multiple locations and at varying times.

MEDICAL RECORDS

A chronological written account of a patient’s examination and treatment that includes the patient's medical history and complaints, the provider’s physical findings, behavioral health findings, the results of diagnostic tests and procedures, medications and therapeutic procedures, referrals and treatment plans.

III. POLICY

AHCCCS Contractors and providers shall protect member information in accordance with Federal and State laws, Rules, AHCCCS policies, and AHCCCS contracts.

A. Consistent with 9 A.A.C. 22, Article 5, AHCCCS Contractors and providers, as well as non-contracted providers shall safeguard the privacy of records and information about members who request or receive services from AHCCCS or its Contractors.

1. Information from, or copies of, Medical Records may be released only to legally authorized individuals, and processes shall be in place to ensure that unauthorized individuals cannot gain access to, or alter, Medical Records.

B. Original and/or copies of Medical Records shall be released only in accordance with Federal and/or State laws or Court orders. Contractors and providers shall comply with the Health Insurance Portability and Accountability Act (HIPAA) requirements (45 CFR Part 164),
Confidentiality of Substance Use Disorder Patient Records (42 CFR Part 2), and the requirement to safeguard information on applicants and beneficiaries at 42 CFR 431.300 et seq.

Refer to AMPM Policy 940 for a complete discussion of member records and member information for Contractors.

Refer to AMPM Chapter 600 for more information regarding release of information.

Refer to AMPM Chapter 700 for member medical record information regarding members who receive Medicaid direct services through their school system.

Refer to the AHCCCS Provider Participation Agreement for member record requirements for all AHCCCS registered providers, as a condition of participation.