

Covered Entity _____

Date Review Completed _____

MRN _____

HIPAA Checklist for a Valid Authorization

§ 164.508(c) (1) defines the following core elements for an authorization to disclose protected health information (PHI):

- A specific and meaningful description of the PHI to be used or disclosed
- The identification of the persons or class of persons authorized to make the use or disclosure of PHI (who do you want to get information from including your own hospital, practice group, etc.)
- The identification of the persons or class of persons to whom the covered entity is authorized to make the disclosure (what internal or external persons or entities will be getting the information)
- Description of each purpose for which the specific PHI identified earlier is to be used or disclosed (when individual initiates an authorization for their own purposes, the purpose may be stated as “at the request of the individual.”)
- An expiration date or event (this must be a certain date or an event tied to the individual)
- The individual's signature and date, and if signed by a personal representative, a description of his or her authority to act for the individual

§ 164.508(c) (2) requires these statements for an authorization to disclose PHI:

- A statement that the individual may revoke the authorization in writing, and instructions on how to exercise such right (who does the individual need to write, name and address)
- A statement that treatment, payment, enrollment, or eligibility for benefits may not be conditioned on obtaining the authorization if such conditioning is prohibited by the Privacy Rule or, if conditioning is permitted, a statement about the consequences of refusing to sign the authorization
- A statement about the potential for the PHI to be re-disclosed by the recipient and no longer protected by the Privacy Rule

An authorization is not valid unless it contains both the required core elements, and all of the required statements. This is the minimum information needed to ensure individuals are fully informed of their rights with respect to an authorization and to understand the consequences of authorizing the disclosure. The required statements must be written in a manner that is adequate to place the individual on notice of the substance of the statements.

Initials _____