

RADIOLOGY CONSULTANTS OF IOWA, P.L.C.

CONFIDENTIALITY PLEDGE

The undersigned has read and understands RCI's Confidentiality Policy and RCI's Recordkeeping Procedures and agrees to follow them.

The undersigned further understands and acknowledges that any violation of the Policy and Procedures may result in disciplinary action consistent with RCI's personnel policies.

Dated _____

Employee Signature

**CONFIDENTIALITY POLICY OF
RADIOLOGY CONSULTANTS OF IOWA, P.L.C.**

I. GENERAL POLICY STATEMENT:

All medical information concerning a patient is confidential and shall be disclosed only under the circumstances outlined below.

Confidential medical information includes any information, whether oral or recorded in any form or medium (including any kind of diagnostic imaging) obtained in the course of providing medical care and treatment, or determining coverage of membership issues, which identifies or may lead to the identification of the patient.

Recorded confidential information includes any information stored or maintained in a computer and accessible through computer terminals or printers by either visual display or hard copy output.

II. DUTIES OF EMPLOYEES:

1. Employees shall access patient information (including but not limited to confidential medical information) only if they need the information to perform the employment duties. *Patient information* includes appointment information, billing information and other information concerning payment of membership in a medical plan.
2. Any employee reading or accessing or discussing patient information as described in paragraph 1, unless it is necessary to perform his or her job duties, will be in violation of this policy.
3. Employees shall not discuss having seen patients whom they know with the individuals from outside RCI. The fact of seeking medical treatment is as confidential as the nature of the treatment and disclosing that a person was seen may lead to the disclosure of confidential information.
4. Medical records may be provided to a Plan or other third-party payor upon written consent by the patient. Care should be taken to determine that the appropriate Patient Authorization is on file.
5. Employees may not take or send original patient records out of the facility for any reason, unless prior authorization from a physician or Administration is obtained. If originals are sent, a proper receipt must be obtained and follow-up done to ensure that the records have been returned.

6. If any employee has any doubt about disclosure, an Administrator should be contacted immediately.
7. Employees, unless it is part of their job duties, shall not answer questions from attorneys or third-party payors. All requests shall be referred to an administrator.
8. Any person faxing or electronically submitting patient information to a non-medical source shall first determine whether the receiving fax machine or terminal has restricted access and shall arrange to verify whether the information has been received.
9. Each employee with computer access shall not share or communicate his or her identification number with unauthorized persons and shall take steps to ensure that his or her terminal is not left on or unattended.
10. Each employee has the responsibility to familiarize himself or herself with RCI's recordkeeping procedures that are attached, and to follow them.

NOTE: VIOLATIONS OF THIS CONFIDENTIALITY POLICY OR RCI'S RECORDKEEPING PROCEDURES MAY RESULT IN DISCIPLINARY ACTION CONSISTENT WITH RCI'S PERSONNEL RECORDS.

Dated June 1999, Reviewed December 2021

Recordkeeping Procedures:

Radiology Consultants of Iowa (RCI) has established the following recordkeeping procedures consistent with a patient's rights of confidentiality and privacy, and consistent with RCI's Recordkeeping Policies.

I. PATIENT ACCESS TO RECORDS:

1. While the medical record is the property of Radiology Consultants of Iowa, a patient has a right to a copy, and may be charged a reasonable copying charge. A patient does not generally have the right to the original medical record. Any requests for the original record must be referred to an Administrator.
2. A patient must sign a release of information prior to receiving a copy of his or her medical record.
3. RCI shall not refuse to provide a patient's medical records to the patient because of an unpaid bill.

II. AUTHORIZED DISCLOSURES:

A. WRITTEN AUTHORIZATION:

1. As a general rule, confidential patient information will be produced only pursuant to a written Authorization signed by the patient, or in case of a minor, by a parent. If the patient is physically unable to sign, but is mentally able to consent, the patient may mark an "X" or another individual may sign for the patient in the patient's presence. A guardian or attorney in fact, may also sign an Authorization, if the individual's powers include medical decision-making.
2. RCI will only accept their own Patient Authorization, the Iowa State Bar Association Patient Authorization, or a form that substantially complies with their own form.
3. RCI will generally only produce their own records pursuant to an Authorization and will state this fact in a transmittal letter. When an Authorization expressly calls for release of all records, including the records or reports of other providers, the request will be evaluated on a case-by-case basis.
4. Verification will be made prior to release that the Patient Authorization is still current (most Authorizations have a one-year limit).
5. A reasonable charge may be requested, including the pro-rated cost of employee time for processing the request.

B. OTHER PHYSICIANS:

Where possible, a written Patient Authorization is required prior to sending a patient's records to another physician. In cases of emergency, no signed consent is necessary.

C. THIRD PARTY PAYORS:

A Patient Authorization is required prior to sending a patient's records to a third-party payor. This requirement may be satisfied by an Authorization signed by the patient as a condition of membership to the plan, if the Authorization substantially complies with Iowa law. (There needs to be a separate Authorization for each family member for whom information is requested).

D. SUBPONEAS:

1. Under the circumstances outlined below, medical records may be produced pursuant to a subpoena, even if there is no Authorization.
2. All subpoenas should be referred to an Administrator.
3. Records that do not include mental health treatment, HIV, or drug or alcohol treatment, may be produced pursuant to an Iowa subpoena, if the patient is a named party on the face of the subpoena. (Out of state subpoenas will not be accepted). If the patient does not appear to be a party, counsel should be consulted.
4. A determination should be made as to whether notice has been given to opposing counsel in the case.
5. Subpoenas from the Iowa district court should be accompanied by a "notice of taking deposition" which shows a copy to opposing counsel; generally, the notice gives the provider the opportunity to send the records without a formal deposition.
6. If the request seems unreasonable in time or scope, RCI will contact counsel to take legal steps to quash (object to) the subpoena.
7. RCI may request reasonable payment.

E. COURT ORDERS:

Any court order for production of records should be referred to an Administrator, who should refer to counsel to determine its legal significance.

F. WORKER'S COMPENSATION CASES:

1. RCI may disclose medical information related to an injury without obtaining a Patient Authorization to an employer or employer's insurer if the patient has made a claim for worker's compensation. Only information directly related to the injury may be disclosed without consent, and a physician should be consulted if there is any question as to what is "related".
2. RCI has a right to confirm that a worker's compensation claim has been made by requesting from the insurer or employer a copy of the "report of first injury" prior to any disclosure of information.
3. In cases involving a claim for worker's compensation, one copy of the written record must be provided to the employer or insurer at no cost; thereafter, for duplicates, the actual cost may be charged, not to exceed \$20 dollars for 1 to 20 pages, and an additional \$1.00 per page from 21 to 30 pages; \$30 plus \$.50 per page for 31 to 100 pages, plus postage. Any diagnostic imaging should be provided at a reasonable cost.

G. MANDATORY REPORTING:

Information must be provided to the Department of Human Services pursuing an investigation of child abuse or dependent adult abuse without seeking the consent of the patient. RCI shall verify that the individual seeking the information is an authorized agent of the DHS by asking for a written request to be faxed to the office or by calling the individual back at the DHS phone number.

H. REQUESTS BY LAW ENFORCEMENT:

Although RCI wishes to cooperate fully with law enforcement authorities, a subpoena is generally required before patient information will be disclosed.