
**University of Wisconsin-Madison
Policy and Procedure**

Policy Number: 3.10
Policy Title: Designated Record Set
Effective Date: March 15, 2004
Last Revisions Date: July 13, 2014
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I. Policy

Under the HIPAA Privacy Rule, patients/clients have access to, may request copies of, and may request amendments of their protected health information in their designated record set. This document describes how the University of Wisconsin-Madison Health Care Component specifies the designated record set.

II. Definitions

- A. Protected Health Information (“PHI”): Is health information or health care payment information, including demographic information collected from an individual, which identifies the individual or can be used to identify the individual. PHI does not include student records held by educational institutions or employment records held by employers.
- B. Record: any item, collection, or grouping of information that includes protected health information and is maintained, collected, used, or disseminated by or for a unit in the UW HCC.
- C. University of Wisconsin-Madison Health Care Component (“UW HCC”): Those units of the University of Wisconsin-Madison that have been designated by the University as part of its health care component under HIPAA. See Privacy Policy # 1.1 “Designation of UW-Madison Health Care Component”.

III. Procedures

- A. Each unit in the UW HCC should specify in writing its designated record set as defined under the HIPAA Privacy Rule.

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- B. The designated record set must include:
1. The medical records and billings records about patients/clients maintained by or for the UW HCC unit;
 2. Any enrollment, payment, claims adjudication, and case or medical management records systems maintained by a UW HCC unit for a health plan; and
 3. Any other record used, in whole or in part, by or for the UW HCC unit to make decisions about a patient/client.
- C. The designated record set does not include, for example:
1. Research records (note: information from research that is entered into a patients/client's medical record becomes part of the medical record, which is a designated record set);
 2. Student education records (e.g., records protected under the Family Educational Rights and Privacy Act ("FERPA"));
 3. Employee records; and
 4. Administrative records created or maintained by UW-Madison administrative personnel and offices that perform support functions on behalf of other Health Care Component units as defined in Privacy Policy #1.1 "Designation of the UW-Madison Health Care Component".

IV. Documentation Requirements

Each unit in the UW HCC must specify in writing the records that make up its designated record set under the HIPAA Privacy Rule. This written specification must be maintained by the UW HCC unit for a period of at least six years from the date of its creation or the date when it last was in effect, whichever is later.

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V. Forms

None.

VI. References

- 45 CFR 164.501 (HIPAA Privacy Rule)
- 45 CFR 164.524(e) (HIPAA Privacy Rule)

VII. Related Policies

- Policy Number 7.2 “Requests by Patients to Amend Protected Health Information”
- Policy Number 7.4 “Requests by Patients for Access to Inspect and Obtain a Copy of Protected Health Information”

VIII. For Further Information

For further information concerning this policy, please contact the UW-Madison HIPAA Privacy Officer or the appropriate unit HIPAA Privacy Coordinator or sub-Coordinator. Contact information is available within the “Contact Us” tab at hipaa.wisc.edu.

Reviewed By

Chancellor
Chancellor’s Task Force on HIPAA Privacy
UW-Madison HIPAA Privacy Officer
UW-Madison Office of Legal Affairs

Approved By

Interim HIPAA Privacy and Security Operations Committee