



To: HBMA Membership
From: Bill Finerfrock and Christina Desimone
Re: Proposed New HIPAA Privacy Rule: Patients Access to Test Reports

The Department of Health and Human Services proposed new rules on September 14, 2011 that would expand patients' rights to access their health care information. More specifically, the proposed new rules would allow patients to access their test results directly from labs by request. The new rules would ensure that labs covered under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) readily provide the requested information to patients or personal representatives.

These [Proposed Rules](#) were jointly drafted by the Centers for Medicare and Medicaid Services (CMS), the HHS Office for Civil Rights (OCR), and the Centers for Disease Control and Prevention. The Notice of Proposed Rulemaking (NPRM) intends to amend the Clinical Laboratory Improvement Amendments of 1988 (CLIA) regulations and privacy regulations formed by HIPAA in order to reinforce patients' rights to their own lab test results.

Although this does not directly affect HBMA member companies, it could be of interest to your physician clients.

Comments:

If you or your clients wish to comment on these proposed rules, please do so no later than 5 p.m. on November 13, 2011. You may submit comments electronically at <http://www.regulations.gov>. If you wish to submit hard copy comments, please submit to:

Centers for Medicare and Medicaid Services
Department of Health and Human Services
Attention: CMS-2319-P, P.O. Box 8010
Baltimore, MD 21244-8010

Contact for Further Information:

For CLIA regulations:
Nancy Anderson, CDC, (404) 498-2280
Judith Yost, CMS, (410) 786-3531

For HIPAA Privacy Rule:
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