I. 11.3.2 Right to Amend Protected Health Information

Chapter 11 - Patient Privacy	Original Effective Date: April 2003
Section: 11.3 Individual Rights to Privacy of Protected Health Information	Date Last Reviewed: September 2026
Responsible Entity: Chief Compliance and Privacy Officer	Date Last Revised: September 2026

II. Purpose

Patients have the right to request amendment of information collected and maintained about them in their designated record set if they believe information is incomplete or inaccurate.

III. Scope

This policy applies to all Workforce Members—including faculty, staff, students, healthcare providers, contractors, and researchers—who have direct or indirect access to Protected Health Information (PHI). This includes all PHI maintained by UT Health San Antonio (UTHSA) and its controlled affiliates, such as clinics, hospitals, and research facilities.

IV. Policy

A. Processing an Amendment Request

1. Individuals have the right to request an amendment to their PHI or other records maintained by UT Health San Antonio in the designated record set. See the Institutional Handbook of Operating Policies (IHOP) policy 11.1.5 Patient Health Records for additional information about the designated record set.
2. Health Information Management (HIM) will be responsible for processing amendment requests.
3. Individuals must make a written request to amend the PHI with a reason to support the requested amendment. The request should be submitted on the Request for Amendment of Health Information form.
4. UTHSA must accept all requests to amend PHI in the designated record set; however, UTHSA is not required to act on a request and may deny an individual's request for amendment if it is determined that the PHI or record that is the subject of the request meets the following criteria:

a. The health information was not created by UTHSA, unless the individual provides a reasonable basis to believe that the originator of the PHI is no longer available to act on the requested amendment;

b. The health information is not part of the designated record set;

c. The health information would not be available for inspection according to federal law and IHOP policy 11.3.6 Access to Protected Health Information; or,

d. The health information contained in the designated record set is accurate and complete as it is.

5. UTHSA must act on a request for an amendment no later than 60 days after receipt of such a request. If UTHSA is unable to act on the amendment within the required 60-day limit, UTHSA may extend the time for such action by no more than 30 days, provided the individual is provided with a written statement of the reason for the delay and the date by which action on the request will be completed. UTHSA may have only one such extension of time for action on a request for an amendment.

B. Granting an Amendment Request

1. If a request for amendment is granted, in whole or in part, UTHSA must make appropriate amendment to the PHI or record that is the subject of the request by, at a minimum, identifying the records in the designated record set that are affected by the amendment and appending or otherwise providing a link, particularly in regard to electronic health records, to the location of the amendment.

2. UTHSA must inform the individual in a timely manner that the amendment request is accepted and obtain the individual's identification of an agreement to have UTHSA notify the relevant persons with which the amendment needs to be shared.

3. UTHSA must make reasonable efforts to inform and provide the amendment within a reasonable time to:

a. Persons identified by the individual as having received PHI about the individual as needing the amendment; and,

b. Persons, including business associates, who are known to have the PHI that is the subject of the amendment and that may have relied, or could foreseeably rely, on such information to the detriment of the individual.

4. When UTHSA accepts an amendment, it does not remove, obliterate, or alter existing PHI in the patient record.

5. The completed amendment form should be filed with or in the patient's health record and maintained according to UTHSA's records retention schedule.

C. Denying an Amendment Request

1. If the requested amendment is denied, in whole or in part, UTHSA must provide the individual with a timely, written denial using the Amendment Denial Letter template. The denial must use plain language and contain:

i. The basis for the denial, in accordance with criteria listed in this policy under Processing a Request.

ii. The individual's right to submit a written statement disagreeing with the denial and how the individual may file such a statement.

iii. A statement that, if the individual does not submit a statement of disagreement, the individual may request that UTHSA provide the individual's request for amendment and the denial with any future disclosures of the PHI that is the subject of the amendment; and,

iv. A description of how the individual may complain to UTHSA or the Secretary of the Department of Health and Human Services in accordance with UTHSA's privacy complaint process.

2. UTHSA must permit the individual to submit a written statement disagreeing with the denial of all or part of a requested amendment and the basis of such disagreement. The length of the statement of disagreement may be reasonably limited.

3. UTHSA may prepare a written rebuttal to the individual's statement of disagreement and must provide a copy to the individual; and,

4. UTHSA must, as appropriate, identify the record or PHI in the designated record set that is the subject of the disputed amendment and append or otherwise link the individual's request for an amendment, the denial of the request, the individual's statement of disagreement, if any, and the rebuttal, if any, to the designated record set. The completed amendment form should generally be retained and filed within the patient's health record for a period of six years.

D. Future Disclosures

1. If an individual has submitted a statement of disagreement, UTHSA must include all material related to the amendment or an accurate summary of any such information, with a subsequent disclosure of the PHI to which the disagreement relates.

2. If the individual has not submitted a written statement or disagreement, UTHSA must include the individual's request for amendment and its denial or an accurate summary of such information, with any subsequent disclosure of the PHI only if the individual had requested such action.

3. When UTHSA makes a subsequent disclosure using a standard transaction that does not permit the additional material to be included with the disclosure, UTHSA may separately transmit the material required to the recipient of the standard transaction.

E. Note of Amendment from Other Entities

1. If UTHSA is informed by another provider or payor of an amendment made to an individual's PHI within the outside entity's designated record set, UTHSA must amend the PHI in designated records sets that have been received from that outside entity.

2. UTHSA is not required to amend the PHI in UTHSA's designated record set based on an outside determination, unless UTHSA has relied on the outside entity's findings.

V. Definitions

Terms used in this document have the meaning set forth in the Patient Privacy Policies Glossary *unless a different meaning is required by context.*

VI. Related References

For questions regarding this policy, contact the Privacy Program Director at 210-567-2014 or email compliance@uthscsa.edu.

Office of Civil Rights (OCR), *Denying the Amendment* (§164.526(a)(2)),(2015, November 8). Audit Protocol. HHS.gov

Code of Federal Regulations (45CFR Section 164.501), https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-C/part-164

VII. Review and Approval History

The approving authority of this policy is the University Executive Committee.

Effective Date	Action Taken	Approved By	Approved Date
04/2003	Policy Origination		
03/2013	Policy Revision		
02/2016	Policy Revision		
01/2023	Policy Review	ICPO	01/13/2023
09/2026	Policy Review, Discretionary Edits	ICPO	09/21/2026