

Issuing Department: Internal Audit, Compliance, and
Enterprise Risk Management

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Designated Record Set

- Consultation reports
- Psychosocial history reports
- Photographs or videos
- Authorizations and consents, including research consents related to health care treatment decisions
- Billing records
- Remittance advice
- Case management records
- Other records that are used to make health care decisions about the patient (e.g., other diagnostic tests and results; interpretive reports, telephone encounters)

Note on External Records

External records are those records which were not created by or originated at NYU Langone Health. For example, records (notes, reports) patients bring from a non-NYU Langone Health physician. If external records are used to make health care decisions about a patient, then those records are part of the Designated Record Set.

Examples of Records not included in the Designated Record Set

The following are not part of the Designated Record set- even if they include PHI- because they are not used to make health care decisions about a patient. A patient **does not** have a right to access these records for any purpose.

- Quality assessment records
- Credentialing records
- Peer review files
- Incident report (e.g., reports regarding devices)
- Internal Grievance reports
- Information contained in employee records
- Information contained in the servers of a health information exchange in which NYU Langone Health participates that has not been integrated into a Designated Record Set
- Financial reports used for health care operations (e.g., inventory control or purchasing activities)
- Coding queries
- Internal compliance reports, audits, and logs
- Administrative records
- Attorney-client privileged records, or any other record that is subject to privilege under state and/or federal laws and regulations
- Public health records and statistical data
- Temporary notes or worksheets
- Laboratory results from a test performed at a laboratory not certified to perform such test(s) under the Clinical Laboratory Evaluation Program (CLEP) or the Clinical Laboratory Improvement Amendments (CLIA)
- Any other record that is not used to make health care decisions about the patient

Research Records

Research records that are not used or are not available (to the treating provider) to make health care decisions about a patient are not part of the Designated Record Set. Records contained in an electronic medical record will be presumed to be available for use in making decisions about a patient, and therefore included in the Designated Record Set. Records that are maintained by but separate from other NYU Langone Health records which are not generally accessible by Workforce Members for purposes unrelated to Research, are not part of the Designated Record Set.

Some records are considered for Treatment and Research, such as documentation related to a clinical procedure or other service, even if the activity was undertaken for Research purposes only, and therefore are part of the Designated Record Set.

During the course of a Research study, the right to access Research records otherwise contained in the Designated Record Set may be suspended provided the patient(h)-4 n for purpost

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