

September 28, 2004

**MANDATED UTILIZATION OF RELEASE OF INFORMATION (ROI) RECORDS
MANAGEMENT SOFTWARE**

1. PURPOSE: This Veterans Health Administration (VHA) Directive establishes policy regarding the roles, responsibilities and utilization of the Release of Information (ROI) Records Management software package.

2. BACKGROUND:

a. Under the Privacy Act of 1974, Title 5, United States Code (U.S.C.) 552a(c), "Each agency, with respect to each system of records under its control, shall keep an accounting of the date, nature, and purpose of each disclosure of a record to any person or to another agency." In addition, 5 U.S.C. 552a(c)(3) requires agencies to make the accounting available to the individual named in the record at his request except for certain law enforcement activities.

b. The Standards for Privacy of Individually-Identifiable Health Information, hence Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule, Title 45 Code of Federal Regulations (CFR) 164.528 requires covered entities to maintain an accounting of disclosures similar to the Privacy Act and to provide the accounting to an individual upon their request.

c. VHA must maintain an accounting of the disclosures of health information made from veterans' records and must have the capability to provide veterans with a summary of the accounting. In the past, this process has been handled through manual processes and disparate software systems. In order to standardize the process for maintaining the accounting of disclosure information, VHA deployed the ROI Records Management software. This software allows for the management, processing and tracking of all requests for information including those made under the Freedom of Information Act (FOIA).

d. Definitions:

(1) **Disclosure.** Disclosure is the release, transfer, provision of access to, or divulging in any other manner, information outside VHA. The exception to this definition is when the term is used in the phrase "accounting of disclosures."

(2) **Release of Information activities.** For the purpose of this Directive, release of information activities include:

(a) The receipt and processing of written requests from non-Department of Veterans Affairs (VA) entities for copies of medical records or health information;

(b) Reviewing the authorization forms to ensure compliance with VHA Handbook 1605.1;

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(c) Processing VA requests (e.g., Veterans Benefits Administration, Regional Counsel) for copies of medical records or health information;

(d) Maintaining the accounting of disclosures; and

(e) Providing appropriate figures for the Annual FOIA Report to the FOIA Officer.

(3) **Release of Information (ROI) Manager.** ROI Manager is a software tool purchased from Document Storage System, Inc. which works with the Veterans Health Information System and Technology Architecture (VistA) to enable health care facilities to track and manage requests for copies of VHA records.

3. POLICY: It is VHA policy that each VA medical center must utilize the ROI Records Management software to maintain the accounting of disclosures and to generate the Annual FOIA Report. Each medical center performing in-house release of information activities must utilize the ROI Records Management software to process non-VA requests for health information.

4. ACTION:

a. **Medical Center Director.** The medical center Director is responsible for ensuring:

(1) Installation of the ROI Records Management software version 5.2 and subsequent patches and versions.

(2) Utilization of the ROI Records Management software by employees disclosing or releasing health information to organizations or individuals outside of VA upon request.

(a) When a request for information is received by the VA health care facility the request must be:

1. Entered into the ROI Records Management software, and

2. Processed in accordance with the VHA ROI User Manual available at <http://www.va.gov/vdl/> under Financial-Administration and then under Release of Information (ROI) Manager.

(b) When a request for an accounting of disclosures is received it needs to be processed in accordance with VHA Handbook 1605.1 using the ROI Records Management software to generate the comprehensive accounting summary.

(3) Utilization of the ROI Records Management software when ROI is outsourced for maintenance of accounting of disclosures and other reporting purposes, such as the Annual FOIA Report.

(4) A process exists to process and track FOIA requests. VA medical centers may use the ROI Records Management software to enter requests made under FOIA and gather information required for the Annual FOIA Report.

(5) If the VA Medical Center outsources release of information activities, the accounting of disclosure information and the generating of the Annual FOIA Report for disclosures of health information is maintained. The data associated with the request and the information disclosed must be uploaded into the designated DSIR (Namespace for ROI Record Management files housed in VistA) VistA files in order for the Annual FOIA Report and accounting of disclosures to be available through the ROI Records Management software.

(6) The appropriate agreements or arrangements are made for the ROI Record Management software to be utilized with the target VA Medical Center VistA Server.

b. **Chief, Health Information Management Service (HIMS)**. The Chief, HIMS, or supervisor of ROI activities, is responsible for ensuring that all employees disclosing or releasing information are trained on the proper utilization of the ROI Records Management software.

c. **Privacy Officer**. The facility-level Privacy Officer is responsible for:

(1) Monitoring compliance with the accounting of disclosures requirement.

(2) Ensuring that requests from individuals for the accounting are processed appropriately.

5. REFERENCES:

a. Privacy Act of 1974, 5 U.S.C. 552a(c).

b. Standards for Privacy of Individually Identifiable Health Information, Title 45 CFR. 164.528.

c. Freedom of Information Act, 5 U.S.C. 552.

d. VHA Handbook 1605.1, Privacy and Release of Information.

6. FOLLOW-UP RESPONSIBILITY: The Director, Office of Health Data and Informatics (19F) is responsible for the contents of this VHA Directive. Questions may be addressed to 202-273-9220.

7. RESCISSION: None. This VHA Directive expires September 30, 2009.

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