

<b>DH Policy Title</b>	<b>Policy on Employee Electronic Medical Record Access</b>	<b>Policy ID</b>	<b>32701</b>
<b>Keywords</b>	<b>Spouse, child, children, friends, family, employee access, medical record, records, access, DPR, designate, designation, personal, representative, eDH, personal access</b>		

### I. Purpose of Policy

To outline the circumstances in which it is appropriate for Covered Individuals to access medical records for personal reasons.

### II. Policy Scope

This policy applies to all D-H and DH System Members (including residents, fellows, employed medical/professional staff members, regular employees, temporary and/or term-limited employees, per-diem employees, and all remote employees) as well as volunteers approved through Volunteer Services, and Persons of Interest (POI) (defined below) and indicated with an “X” below.

Dartmouth-Hitchcock (D-H)	Dartmouth Health (DH) System Members
<input checked="" type="checkbox"/> Mary Hitchcock Memorial Hospital	<input checked="" type="checkbox"/> Alice Peck Day Memorial Hospital
<input checked="" type="checkbox"/> DHMC - Hampstead Hospital	<input checked="" type="checkbox"/> Cheshire Medical Center
<input checked="" type="checkbox"/> Dartmouth Cancer Center- Lebanon	<input checked="" type="checkbox"/> Mt. Ascutney Hospital and Health Center
<input checked="" type="checkbox"/> Dartmouth Cancer Center- St. Johnsbury	<input checked="" type="checkbox"/> New London Hospital Association
<input checked="" type="checkbox"/> Dartmouth Cancer Center- Nashua	<input type="checkbox"/> Southwestern Vermont Medical Center
<input checked="" type="checkbox"/> Dartmouth Cancer Center- Manchester	<input type="checkbox"/> Valley Regional Hospital
<input checked="" type="checkbox"/> Dartmouth-Hitchcock Clinic (Lebanon)	<input checked="" type="checkbox"/> Visiting Nurse and Hospice of VT/NH (VNH)
<input checked="" type="checkbox"/> Dartmouth-Hitchcock Clinics (Southern Region)	
<input checked="" type="checkbox"/> MHMH Clinics at Cheshire	

For purposes of this policy, the terms “child” or “children” shall include minors who have been appointed a legal guardian by a court, otherwise known as a ward. The terms “parent” or “parents” shall include legal guardians of minor children.

### III. Definitions

**Break the Glass:** An eDH feature that provides additional privacy and security protections to certain documentation and/or encounters when set by the author. It requires users to provide a justification for access, and to re-authenticate their credentials before

access is granted. This function creates an audit trail, tracking users who have accessed the document and the reason provided by those users for doing so.

**Covered Individuals** – Employees of all DH member organizations (including residents, fellows and all privileged medical/professional staff members), temporary or term-limited employees, per diem employees, full-time remote employees, and volunteers approved through Volunteer Services. Unless specified, “covered individuals” also includes students, trainees, Dartmouth College and Geisel School of Medicine employees, and other non-employees identified by DH (including POIs) who physically access a DH member organization facility or premise for purposes related to employment or education.

**Person of Interest (POI)** – Any individual who works, serves, or trains in any DH member organization under a contractual agreement with an entity other than a DH member organization, sometimes referred to as, but not limited to, students, contractors, travelers, or others.

#### IV. Policy Statement

##### A. Covered Individuals Accessing Their Own Electronic Medical Record in eDH:

**Covered Individuals may not access their own medical records in eDH.**

DH has established procedures to assist patients, including Covered Individuals, with accessing their health information. DH Covered Individuals may contact Health Information Services (HIS) to request records. Access to medical records are also available in the patient portal, myDH.

Covered Individuals may not modify any information or take any actions in the Covered Individual’s own medical record, including changing demographic information and scheduling or cancelling appointments. Such modifications must be requested by contacting your provider or Patient Access, submitting a request via myDH, or in accordance with Requests for Amendment of Protected Health Information By Individuals Policy.

##### B. Covered Individuals Accessing Their Minor Children’s Medical Records:

**Covered Individuals may not access the eDH record (or any other medical record) of their minor children aged birth through 17 years through eDH (or any other medical record) unless it is within their job scope to access their child’s health information.**

Covered Individuals **may not** “Break the Glass” on any encounter or note involving their child.

Covered Individuals may have access to their children’s medical records in the birth to 17 age group through standard release of information procedures, or through proxy access to their children’s myDH accounts.

Individuals may not modify any information or take any actions in the medical record of their children, including changing demographic information and scheduling or canceling an appointment. Such modifications must be requested by contacting your child's provider or Patient Access, submitting a request via myDH, or in accordance with Requests for Amendment of Protected Health Information By Individuals Policy.

C. Employees Accessing the Medical Record of Their Spouse, Child 18 years or older, Family Member, or Friend:

**Covered Individuals may not access the health information of their spouse, partner, children 18 years of age or older, relative, co-worker or friend through eDH unless the Covered Individual has a professional need to know this information in accordance with their job duties.**

Covered Individuals designated as "Personal Representatives" of DH patients should access medical records through standard release of information procedures, or by obtaining proxy access to the patient's myDH account, rather than by obtaining information directly through eDH.

Covered Individuals who are Personal Representatives of DH patients **may not** "Break the Glass" on any encounter or note of those patients, unless required to do so in the performance of daily job duties. Covered Individuals must contact the Privacy Office or Risk Management to access such medical records that are under Break the Glass.

Covered Individuals may not modify any information or take any actions in the medical record of a spouse, partner, children 18 years of age or older, family member, co-worker or friend unless required to do so in the performance of daily job duties, including changing demographic information and scheduling or canceling an appointment. Such modifications must be requested by contacting the patient's provider or Patient Access, submitting a request via myDH, or in accordance with Requests for Amendment of Protected Health Information By Individuals Policy.

D. Sanctions:

DH monitors and audits employee access to its electronic medical record systems. Failure to follow this policy will subject Covered Individuals to disciplinary action, up to and including termination of employment.

I. **References**

HIPAA Privacy Rule, 45 C.F.R. §§ 164.502(g) and 524  
New Hampshire's Public Health Statute, RSA 141-C: 18  
New Hampshire's Controlled Drug Act, RSA 318-B: 12-a

<b>Responsible Owner:</b>	Rebecca Malila		
<b>Approved By:</b>	Office of Policy Support, Office of Policy Support (OPS), Amy Cadorette, Erin MacPhail, Hannah Bianchi, Kevin Forrest, Martin Purcell, Melissa Almstrom	<b>Version #</b>	2
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