Personal Representative Information and Client Set Up

Arctrieval

1. Overview

Per the HIPAA Privacy Rule, personal representatives have the same rights as an individual to access the individual's protected health information. The following chart explains who must be recognized as the personal representative.

If the Individual Is:	The Personal Representative Is:
An Adult or An Emancipated Minor	A person with legal authority to make health care decisions on behalf of the individual ***Examples:*** Health care power of attorney Court appointed legal guardian General power of attorney or durable power of attorney that includes the power to make health care decisions
An Unemancipated Minor	A parent, guardian, or other person acting in loco parentis with legal authority to make health care decisions on behalf of the minor child.
Deceased	A person with legal authority to act on behalf of the decedent or the estate (not restricted to persons with authority to make health care decisions) ***Examples:*** Executor or administrator of the estate Next of kin Other family member (if relevant law provides authority)

Arctrieval's software fully supports personal representatives as part of the request process. The information for the personal representative needs to be entered as part of the Client's record, so Arctrieval uses the correct information to generate the request. The steps below are an overview of the process of issuing a request from a personal representative:

1. Signing the Personal Representative Intake Form
2. Checking if the Personal Representative information is already part of the Client record.
3. Entering or updating the Client record to add Personal Representative details.
4. Uploading the Personal Representative's photo ID.
5. Uploading Relationship Documentation.

Failing to provide complete Personal Representative information when they make a request may delay your request or the healthcare provider may reject it.

2. Personal Representative Intake Form

The Personal Representative Intake form is slightly different than the Client Intake form. When a Personal Representative requests information on someone else's behalf through Arctrieval, they should sign the Personal Representative Intake form. The form has space to identify the patient or individual whose records will be requested, the personal representative's name, today's date, and space for the personal representative to sign.

2.1. Physical Form

Completing a physical Personal Representative Intake form is done as follows:

1. Log into Arctrieval.
2. Click on Forms in the left-hand menu.
3. Click the Download button next to the Personal Representative Intake Form to store a copy of the form in English or Spanish on your local computer.
4. Print out a copy of the document.
5. Have the Personal Representative write the patient's name at the top, their name, and today's date in the corresponding spaces provided on the form.
6. Have the Personal Representative sign the Personal Representative Intake Form using a black ink pen.

The Personal Representative should sign clearly and as large as possible within the lines in the box. The signature must stay within the borders without touching any edges of the box. If the signature does not meet these conditions the signature extraction will fail. If the signature in Arctrieval does not look good, please have them sign another form.

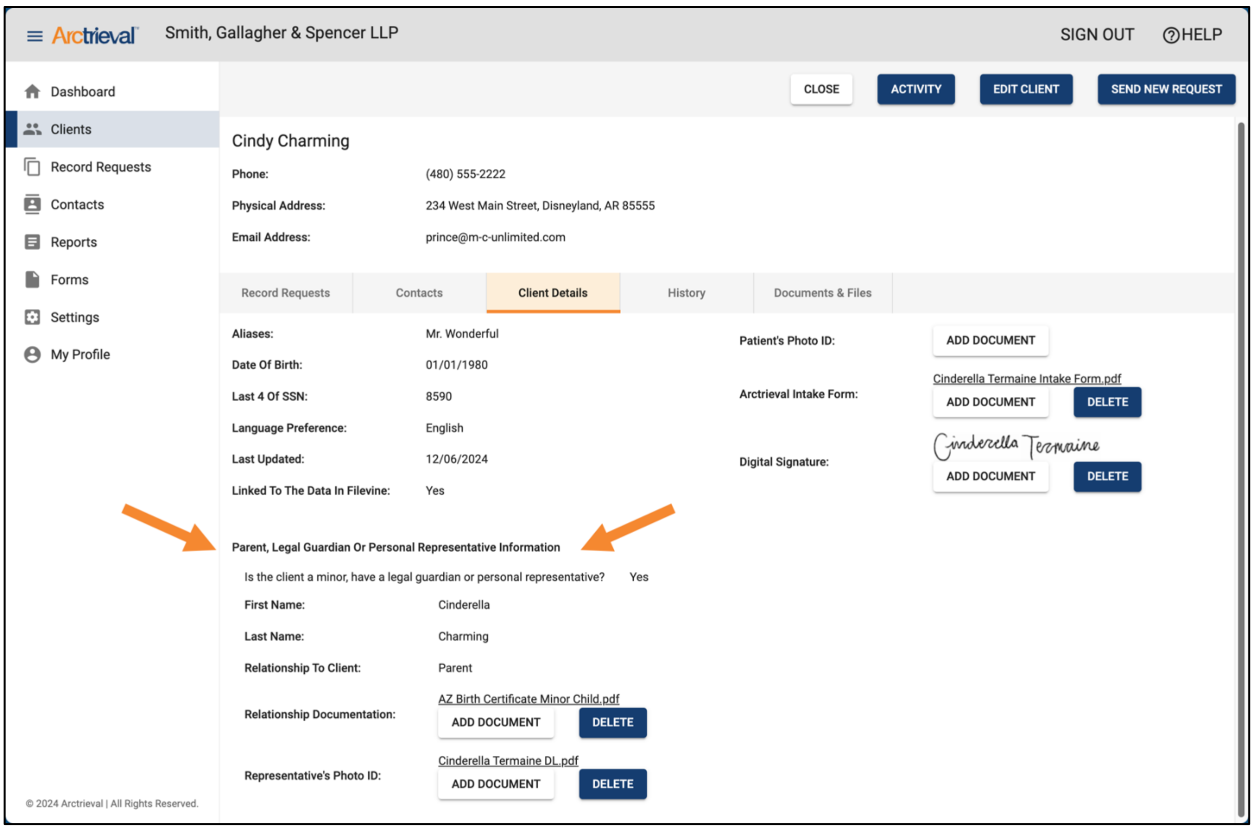
2.2. Digital Signature Capture

Just like the process for a Client to sign the Arctrieval Intake form on their smartphone, the functionality is also available for a Personal Representative. Follow the process described in the Intake Forms Texting to a Client or Personal Representative. Be sure to send the text or email to a mobile device or email account that the Personal Representative can access.

3. Checking if Personal Representative was Setup.

Before issuing a request using a Personal Representative, you must ensure that the correct information was added to the Client's information in Arctrieval. The following steps will enable you to determine if the Personal Representative information was entered.

1. Click on Clients in the left-hand menu.
2. Click on the Client's name on the list to display their detailed information.
3. In the sub menu, click on Client Details.
4. If personal representative information was entered, you will see the "Parent, Legal Guardian Or Personal Representative Information" section as indicated below with additional fields as indicated in the image.



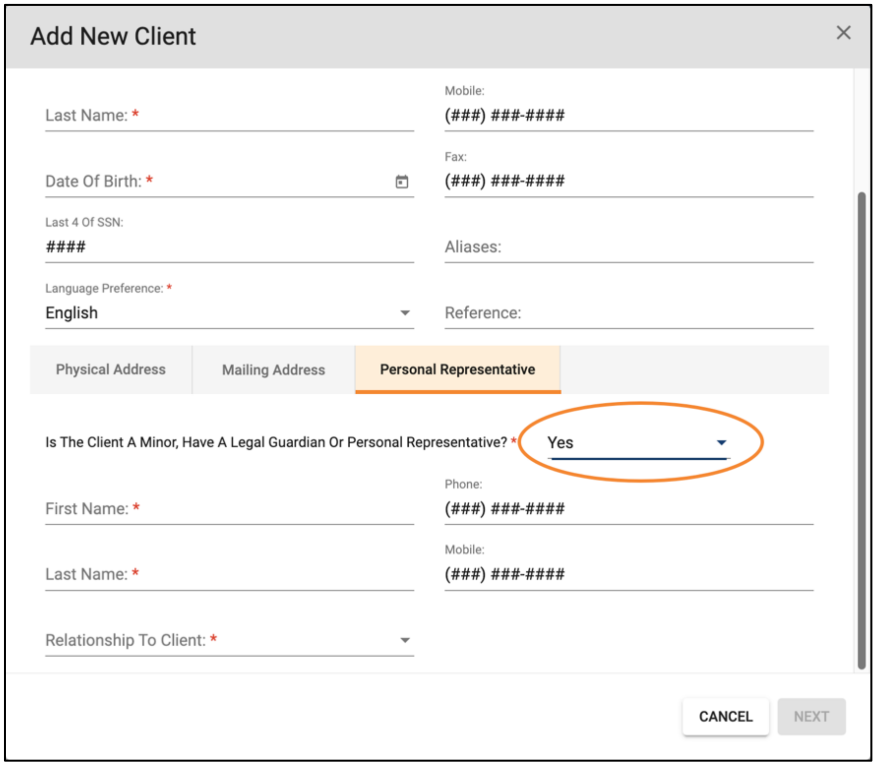
If you do not see the "Parent, Legal Guardian Or Personal Representative Information" section, add the personal representative information described in the next part of this document.

4. Adding Personal Representative Information

Follow these steps to add information about a Personal Representative:

1. Enable the personal representative functionality when adding or editing Client information by selecting yes to the question, “Is the client a minor, have a legal guardian or personal representative?”

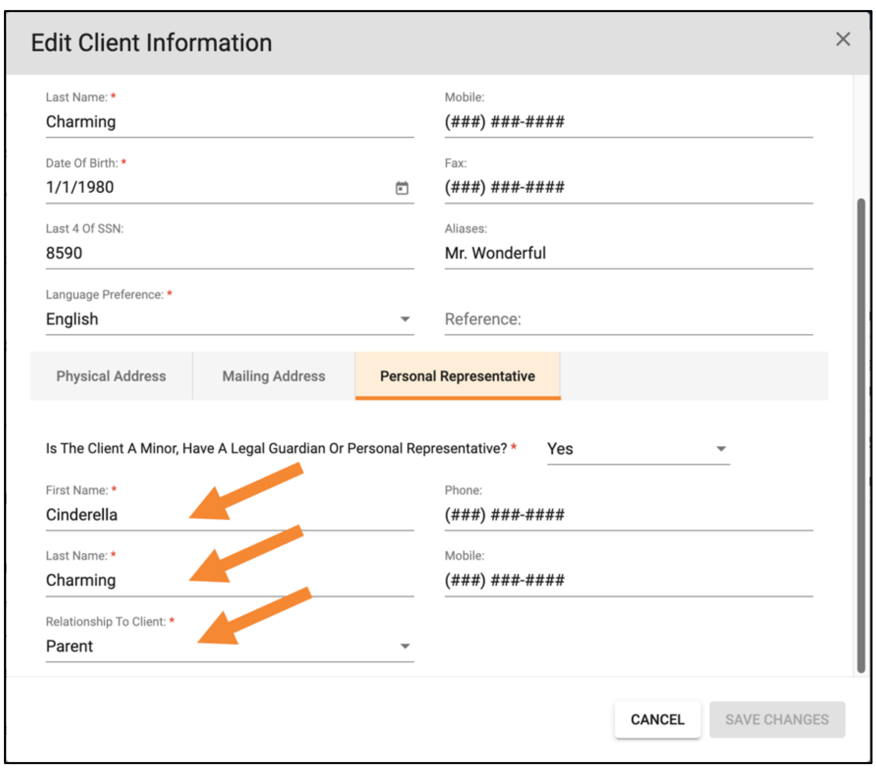
   Choosing yes activates the additional fields for the personal representative.



2. Enter the following required information for the Personal Representative: First Name, Last Name and Relationship To Client.

   The Relationship to Client has the following options:
   a. Parent
   b. Legal Guardian
   c. Medical Power of Attorney
   d. Next of Kin
   e. Other

   If the listed options do not describe the relationship, select the other option and explain the relationship. Common relationships include Executor of Will, Executor of Estate, and Trustee.



5. Adding Personal Representative Documentation

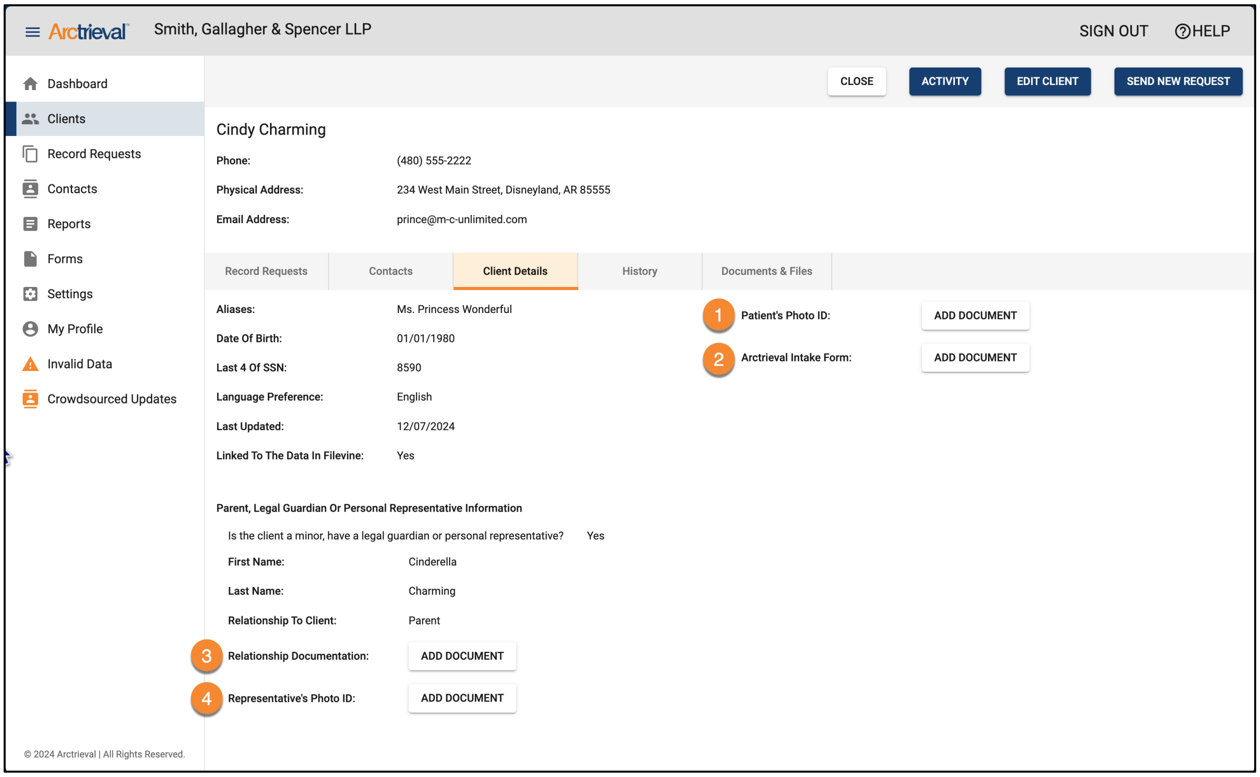
After the Personal Representative information is entered for the Client, additional documentation may be required to demonstrate the relationship between the personal representative and the individual. As a best practice, include as much documentation as possible to eliminate any questions or issues regarding the personal representative's authority to request the individual's protected health information.

See the table below, which lists standard documents demonstrating a personal representative relationship to the patient.

Relationship to Patient/Client	Supporting Documents Needed
Parent	Birth Certificate—especially if parent and child have different family names. Custody Agreement—if parents are not married. Marriage Licenses—if parent remarried and the parent's last name does not match the name on the birth certificate.
Legal Guardian	Guardianship affidavit, legal papers, or court order.
Healthcare Decision Maker	Healthcare Power of Attorney—Not the same as a regular power of attorney for business matters
Next of Kin	Death certificate indicating the next of kin.
Executor of a Will or an Estate	Will, probate documents, or other court documents.

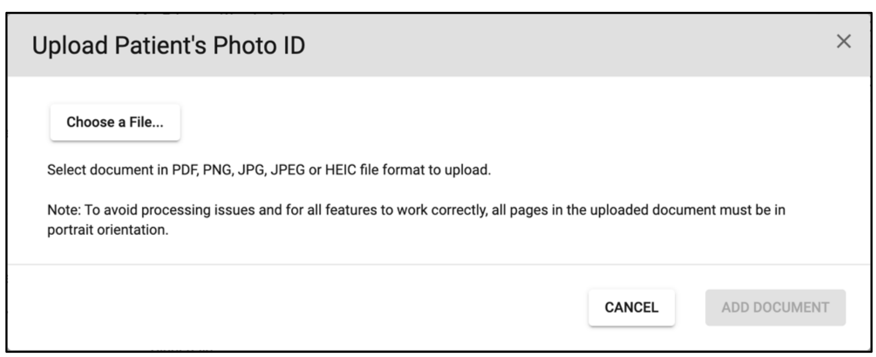
The husband, wife, or partner of an adult does not automatically qualify the husband, wife, or partner to act the personal representative for an individual under the HIPAA Privacy Rule. The individual must specifically authorize their husband, wife, or partner to act as their personal representative. The authorization is usually done through a Medical Power of Attorney.

The image will be used as a reference to explain the different areas to add documentation about the Client and their Personal Representative.



5.1. Patient's Photo ID

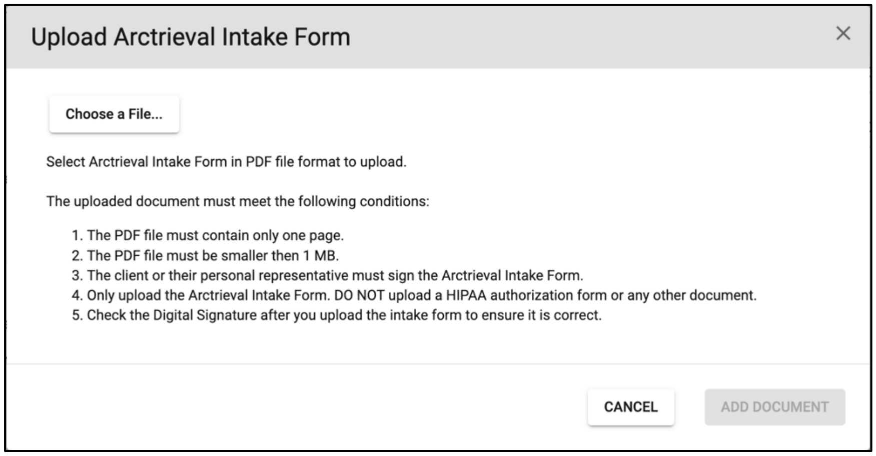
Even when the personal representative requests information, include a copy of the patient's government-issued photo ID. It will assist the provider or their staff in locating the information about the patient and help reduce delays in processing the request. The Add Document button (next to the number 1 in the image) next to the Patient's Photo ID displays the Upload Patient's Photo ID dialog box.



As a best practice, upload the photo ID and any other supporting documentation as at PDF file with a letter-size pages that is 8.5 inches wide and 11 inches tall. Properly sized PDF files will reduce facsimile transmission error. More information is available in the Working with Documents and Photo IDs Best Practices guide.

5.2. Arctrieval Intake Form

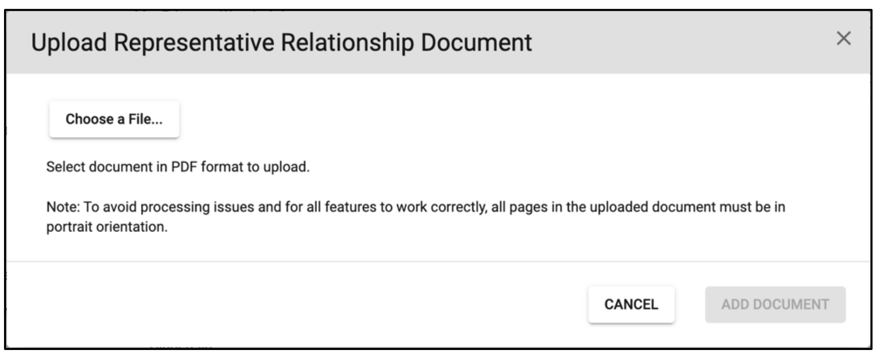
If the Personal Representative signs a physical Arctrieval Intake Form, you must scan it into a PDF file using a scanner and software package that supports the PDF output file format and save it to a convenient location on your computer. After saving the PDF file, click the Add Document button next to the Arctrieval Intake Form label (next to the number 2 in the image) to display the Upload Arctrieval Intake Form dialog box.



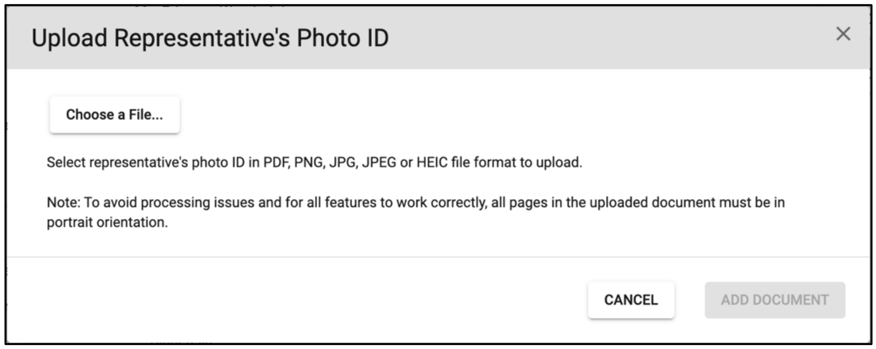
5.3. Relationship Documentation

Supporting documents clearly showing the relationship between the Personal Representative and the individual are critical to establishing the Personal Representative's authority to request protected health information. Providers and release-of-information companies will reject the request immediately.

To add the support documents, click the Add Document button next to the Relationship Documentation label (next to number 3 in the image to display the Upload Representative Relationship Document dialog box.



5.4. Personal Representative Photo ID

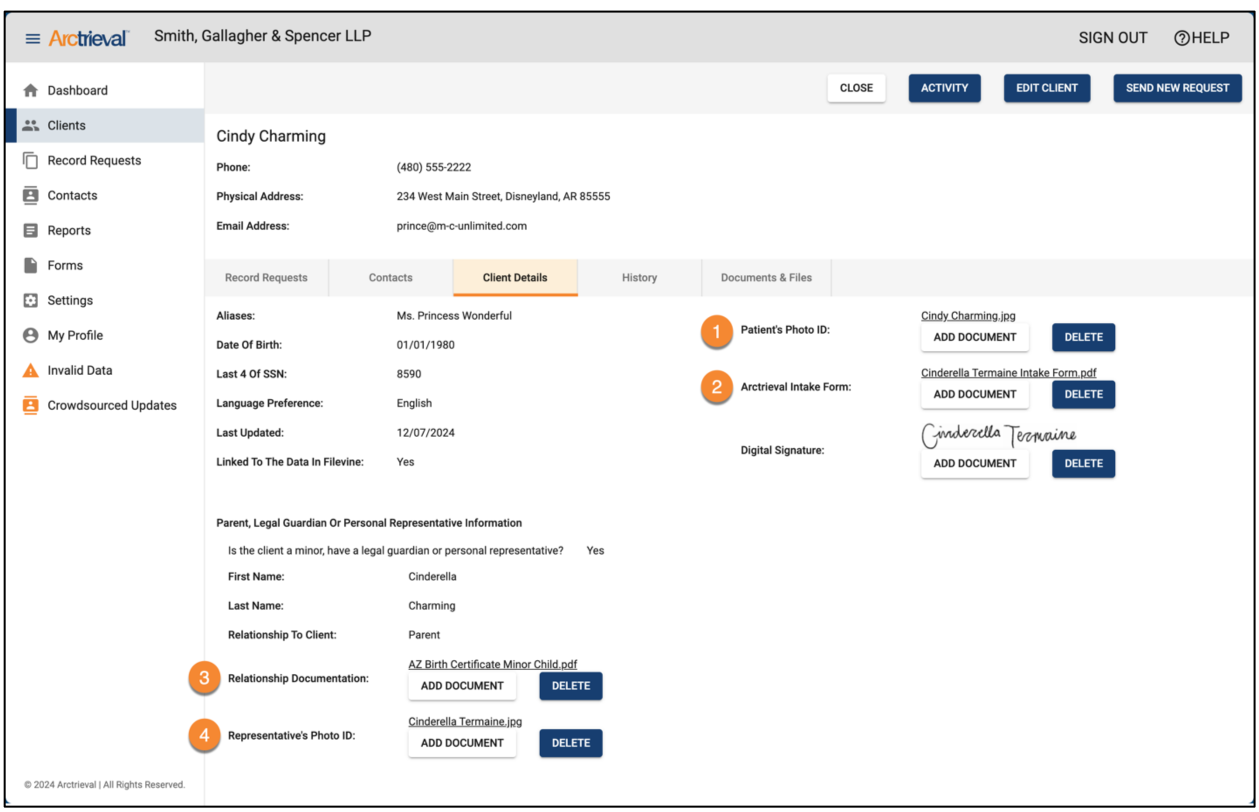


Wherever possible, include a copy of the Personal Representative's government-issued photo ID. It will assist the provider or their staff in verifying the Personal Representative's identity and authority to request records on behalf of the patient and reduce delays. The Add Document button (next to the number 4 in the image) next to the Representative's Photo ID displays the Upload Representative's Photo ID dialog box.

As a best practice, upload the photo ID and any other supporting documentation as at PDF file with a letter-size pages that is 8.5 inches wide and 11 inches tall. Properly sized PDF files will reduce facsimile transmission error. More information is available in the Working with Documents and Photo IDs Best Practices guide.

5.5. Fully Completed Personal Representative Information

Once all documents are uploaded, the Client Detail page document fields will have values as shown in the image.



6. Changes to the Individual Right of Access Request

Once the Personal Representative is set up and used by Arctrieval, the language in the Individual Right of Access Request changes as shown below. Instead of the individual requesting their information, it is done by the personal representative.

Date: 12/08/2024

RE: Individual's Right of Access Request to Protected Health Information

Dear Custodian of Records:

My name is Cinderella Charming and I have the following relationship to Cindy Charming: Parent. I am their personal representative as defined by HIPAA and HITECH. Cindy Charming, is also known as or used the following aliases or names: Ms. Princess Wonderful, has a date of birth of 01/01/1980, 8590 are the last four digits of their SSN, has a current address of 234 West Main Street, Disneyland, AR 85555 and received health care or related services from Magic Kingdom Medical Center, 345.5 Main Street, Suite 115, Disneyland, CA 90203.

As the personal representative for Cindy Charming, I hereby request access to an electronic copy of their protected health information for the period starting on 01/01/2023 and ending on 12/08/2024 as follows:

The key element is Cinderella Charming declares themselves the personal representative for Cindy Charming, describes the nature of the relationship, and, as the personal representative, requests access to the protected health information.

Cinderella's Charming's photo ID helps to establish her identity, and the birth certificate establishes the relationship and authority to request the information.