



CONFIDENTIALITY OF MEDICAL RECORDS

PM-70-05

Section: 70-00, PERSONNEL RECORDS MANAGEMENT

PURPOSE & SCOPE

The City of Memphis is subject to the Tennessee Public Records Act codified at Tennessee Code Annotated Sec. 10-7-504 as amended effective March 31, 2010, which states in pertinent part as follows:

10-7-504. Subsection (a) (1)- The medical records of patients in state, county and municipal hospitals and medical facilities, and the medical records of persons receiving medical treatment, in whole or in part, at the expense of the state, county or municipality, shall be treated as confidential and shall not be open for inspection by members of the public. Any records containing the source of body parts for transplantation or any information concerning persons donating body parts for transplantation shall be treated as confidential and shall not be open for inspection by members of the public.

POLICY

No Individual, regardless of their classification, shall be allowed to review medical records of any employee without a signed medical release from the employee whose records are requested for review. In addition, employees who want to review their own medical records shall also be required to sign an authorization for obtaining medical records.

When a signed release for medical records is secured, a copy of the release shall be retained by the custodian holding the records and a copy of the same signed medical release shall be forwarded immediately to Compensation/Records Administration, Division of Human Resources, for inclusion in the employee's personnel file. Strict compliance with this policy is required.

Individuals who allow medical records held under their authority to be reviewed without medical release signed by the employee whose records are requested for review shall be subject to disciplinary action up to and including termination. Questions or disputes relative to the release of medical records shall be directed to the Director of Human Resources or designee who shall, in conjunction with the City Attorney or designee render a decision.