

(1) EACH FACILITY SHALL ESTABLISH PROCEDURES BY WHICH A PERSON IN INTEREST MAY REQUEST AN ADDITION TO OR OTHER CORRECTION OF A MEDICAL RECORD. HOWEVER, A PERSON IN INTEREST MAY NOT HAVE ANY INFORMATION DELETED FROM A MEDICAL RECORD.

(2) WITHIN A REASONABLE TIME AFTER A PERSON IN INTEREST ASKS TO HAVE A MEDICAL RECORD CHANGED, THE FACILITY SHALL:

(I) MAKE THE REQUESTED CHANGE; OR

(II) REFUSE TO MAKE THE CHANGE AND GIVE THE PERSON IN INTEREST WRITTEN NOTICE OF THE REFUSAL.

(3) A NOTICE OF REFUSAL SHALL CONTAIN:

(I) EACH REASON FOR THE REFUSAL; AND

(II) THE PROCEDURES, IF ANY, THAT THE FACILITY HAS SET FOR REVIEW OF THE REFUSAL.

(4) IF THE FINAL DETERMINATION OF THE FACILITY IS A REFUSAL TO CHANGE A MEDICAL RECORD, THE FACILITY:

(I) SHALL PERMIT THE PERSON IN INTEREST TO INSERT IN THE MEDICAL RECORD A CONCISE STATEMENT OF THE REASON THAT THE PERSON IN INTEREST DISAGREES WITH THAT REFUSAL; AND

(II) MAY INCLUDE A STATEMENT OF THE REASONS FOR THE REFUSAL.

(5) A FACILITY SHALL PROVIDE A NOTICE OF A CHANGE IN A MEDICAL RECORD OR A COPY OF A STATEMENT OF DISAGREEMENT INSERTED IN THE MEDICAL RECORD TO EACH PERSON TO WHOM THE FACILITY PREVIOUSLY DISCLOSED INACCURATE, INCOMPLETE, OR DISPUTED INFORMATION AND WHOM THE PERSON IN INTEREST DESIGNATES TO RECEIVE THE NOTICE OR STATEMENT.

(6) IF A FACILITY LATER DISCLOSES A MEDICAL RECORD, THE FACILITY ALSO SHALL PROVIDE EACH ADDITION, CORRECTION, AND STATEMENT OF DISAGREEMENT INSERTED IN THE MEDICAL RECORD.

(D) LIABILITY.

(1) A FACILITY IS NOT LIABLE FOR DEFAMATION, INVASION OF PRIVACY, OR NEGLIGENCE OTHER THAN GROSS NEGLIGENCE FOR A DISCLOSURE OF A MEDICAL RECORD UNDER THIS SECTION.

(2) IF A FACILITY REFUSES TO DISCLOSE A MEDICAL RECORD WITHIN A REASONABLE TIME AFTER A PERSON IN INTEREST REQUESTS THE DISCLOSURE, THE FACILITY IS, IN ADDITION TO ANY