

Model Attestation Regarding a Requested Use or Disclosure of Protected Health Information Potentially Related to Reproductive Health Care

Individual: _____

OASIS Case #: _____

Information for the Person Requesting the PHI: By signing this attestation, you are verifying that you are not requesting Protected Health Information (PHI) for a prohibited purpose and acknowledging that criminal penalties may apply if untrue. You may not add content that is not required or combine this form with another document except where another document is needed to support your statement that the requested disclosure is not for a prohibited purpose. For example, if the requested PHI is potentially related to reproductive health care that was provided by someone other than St. Clair County Community Mental Health (SCCCMH), you may submit a document that supplies information that demonstrates a substantial factual basis that the reproductive health care in question was not lawful under the specific circumstances in which it was provided.

The entire form must be completed for the attestation to be valid.

Name of person(s) or specific identification of the class of persons to receive the requested PHI (e.g., name of investigator and/or agency making the request):

Name or other specific identification of the person or class of persons from whom you are requesting the use or disclosure (e.g., name of covered entity or business associate that maintains the PHI and/or name of their workforce member who handles requests for PHI):

Description of specific PHI requested, including name(s) of individual(s), if practicable, or a description of the class of individuals, whose protected health information you are requesting (e.g., visit summary for [name of individual] on [date]; list of individuals who obtained [name of prescription medication] between [date range].)

I attest that the use or disclosure of PHI that I am requesting is not for a purpose prohibited by the HIPAA Privacy Rule at 45 CFR 164.502(a)(5)(iii) because of one of the following (**check one of the following boxes**):

☐ The purpose of the use or disclosure of protected health information is **not** to investigate or impose liability on any person for the mere act of seeking, obtaining, providing, or facilitating reproductive health care or to identify any person for such purposes.

☐ The purpose of the use or disclosure of protected health information **is** to investigate or impose liability on any person for the mere act of seeking, obtaining, providing, or facilitating reproductive health care, or to identify any person for such purposes, but the reproductive health care at issue was **not lawful** under the circumstances in which it was provided.

I understand that I may be subject to criminal penalties pursuant to 42 U.S.C. 1320d-6 if I knowingly and in violation of HIPAA obtain individually identifiable health information relating to an individual or disclose individually identifiable health information to another person.

Signature of Individual Requesting PHI_____
Print Name_____
Date

If you have signed as a representative of the person requesting PHI, provide a description of your authority to act for that person.