



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

77 South High Street, 16th Floor
Columbus, Ohio 43215-6108

Governor
Mike DeWine
Executive Director
Missy Anthony

In order to meet the regulatory mission of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, it is necessary for the Board's enforcement staff to review and/or obtain patient/client records of those individuals who have received or are currently receiving occupational therapy, physical therapy, and/or athletic training services. Pursuant to 45 CFR 164.501, the Board is considered a **Health Oversight Agency**. The pertinent sections regulations adopted pursuant to the federal Healthcare Insurance Portability and Accountability Act (HIPAA) of 1996 are outlined below:

45 CFR 164.501 – Definitions

Health Oversight Agency means an agency or authority of the United States, a State, a territory, a political subdivision of a State or territory, or an Indian tribe, or a person or entity acting under a grant of authority from or contract with such public agency, including the employees or agents of such public agency or its contractors or persons or entities to whom it has granted authority, that is authorized by law to oversee the health care system (whether public or private) or government programs in which health information is necessary to determine eligibility or compliance, or to enforce civil rights laws for which health information is relevant.

45 CFR 164.512 – Uses and Disclosures for Which an Authorization or Opportunity to Agree or Object is Not Required

A covered entity may use or disclose protected health information without the written authorization of the individual, as described in § 164.508, or the opportunity for the individual to agree or object as described in § 164.510, in the situations covered in this section, subject to the applicable requirements of this section.

(d) *Standard: Uses and disclosures for health oversight activities*

(1) *Permitted disclosures.*

A covered entity may disclose protected health information to a health oversight agency for oversight activities authorized by law, including audits; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil, administrative, or criminal proceedings or actions; or other activities necessary for appropriate oversight of:

(iii) Entities subject to government regulatory programs for which health information is necessary for determining compliance with program standards.

To review the entire HIPAA regulations, please visit <http://www.ecfr.gov>.

These regulations are located in:

Title 45 – Public Welfare

Subtitle A – Department of Health and Human Services

Subchapter C – Administrative Data Standards and Related Requirements

Part 164 – Security and Privacy

Subpart E – Privacy of Individually Identifiable Health Information