

**DAI Policy 500.50.10 – Authorized Disclosure of Protected Health Information (PHI)  
Without Inmate Patient Authorization  
Attachment A – Disclosure Of Protected Health Information For Workers’  
Compensation Claim  
Effective Date: 08/25/14**

Waiver of Confidentiality by Applicant

Under Wisconsin law, an individual who files an application for Workers’ Compensation due to a work-related injury or illness agrees to the following:

1. To submit to an examination to determine the validity of the claim, referred to as an Independent Medical Examination (IME).
2. To waive the health care provider-patient privilege with respect to:
  - a. Health condition(s) upon which the application is based.
  - b. Records requests by the employee, employer, Wisconsin Department of Workforce Development, or representative of any of these entities, in order to process the claim.

Responsibilities of DOC Health Care Providers

Health care providers shall process written requests for PHI from the applicant (employee), employer, workers’ compensation insurance, Department of Workforce Development, or its representative according to the following standards:

1. Respond to a request for copies within a reasonable time (14 calendar days from receipt of the request when practicable).
2. Require a written authorization from the patient, or person authorized to act on behalf of the patient, if the PHI being requested is not directly related to the health condition(s) for which the claim has been filed. See DAI 500.50.09 for guidance on processing records requests with a written authorization.
3. Redact PHI not directly related to the claim if the patient has not signed an authorization for its disclosure, and the unrelated PHI is included in a document that includes PHI related to the WC claim.

Fees for Copies

1. Requests for documents directly related to WC claim: DOC shall charge only the statutorily mandated fees for copies: \$7.50 per request **or** 45 cents per page, whichever is greater, plus the actual postage cost, as described on the DOC-3011, Fees for Copies.
2. Requests for documents beyond those directly related to WC claim: DOC shall charge fees as described on the DOC-3011, Fees for Copies, in the first section of the form.
3. See DAI Policy 500.50.09 for guidance regarding charging and collecting fees.