

**DAI Policy 500.50.10 – Authorized Disclosure of Protected Health Information (PHI) Without  
Inmate Patient Authorization**

**Attachment D – Required Recording/Logging**

**Effective Date: 08/25/14**

Wisconsin Statutes Chapter 51

- Ch. 51 requires recording of disclosures of records governed by ch. 51, which in the DOC applies to mental health, developmental disability and AODA records received by DOC from community providers and filed in the Health Care Record, but not to documents created by DOC health providers, including psychologists and psychiatrists. ( See Wisconsin Administrative Code s. DHS 92.08)
- Content of recording/log:
  - ✓ Name of recipient
  - ✓ Date/time of disclosure
  - ✓ Type of information disclosed
- Record information on the DOC-3342.

Wisconsin Statutes Chapter 146

- Records created by DOC all health providers, including psychologists and psychiatrists, are governed by ch. 146.
- Ch. 146 does not require recording of disclosures (copies provided) of information, but does require recording of some inspections of records under s. 146.83(3), Wis. Stats.
- Content of recording/log:
  - ✓ Time and date of request by patient, or person authorized by the patient, to inspect record.
  - ✓ Name of inspecting person
  - ✓ Date of inspection
  - ✓ Description of records inspected.
- Record in Medical Chart, Progress Notes, in PSU Record, or on DOC-1163A, or equivalent.

HIPAA Regulations

- Requires recording of the following disclosures:
  - ✓ Disclosures required by federal/state law
  - ✓ Public health activities
  - ✓ Mandatory reporting of abuse, neglect, or violence against any person
  - ✓ Health oversight activities
  - ✓ Judicial/administrative proceedings, including court orders
  - ✓ Law enforcement activities, except relating to inmates
  - ✓ About decedents as required by law
  - ✓ Research purposes
  - ✓ Specialized government functions
  - ✓ Workers' Compensation cases
- Content of recording/log:
  - ✓ Name of recipient & address (if known)
  - ✓ Date of disclosure
  - ✓ Brief description of PHI
  - ✓ Purpose or copy of authorization/request
  - ✓ Summary entry for multiple disclosures to same party/purpose
- Record information on DOC-3342.