



*California cov kev tiv thaiv thiab kev pab txhawb
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Kev Mus Saib thiab Hloov Kho Cov Ntawv Sau Tseg Kev Khomob

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Koj muaj cai kom tshuaj xyuas, luam, lossis hloov kho koj cov ntaub ntawv sau tseg kev khomob. Xeev California Tsab Kev Cai Noj Qab Haus Huv thiab Kev Nyab Xeeb (H&SC) §123110(a). Koj kuj tseem muaj cai kom muaj ib tus neeg nrog koj mus thaum koj tshuaj xyuas koj cov ntaub ntawv. H&SC § 123110(a). Koj tus kheej tus neeg sawv cev (niam txiv, tus saib xyuas, tus neeg zov, lossis lub chaw khomob) muaj cai ib yam nkaus li koj txhawm rau tshuaj xyuas, luam, hloov kho koj cov ntaub ntawv khomob (tshwj tsis yog tau piav qhia hauv tsab ntawv sau tseg no). Tsab ntawv sau tseg no kuj tseem tham txog qhov txwv ntawm koj cov cai.

Cov kev cai lij choj twg tso cai rau kuv tshuaj xyuas, tau txais daim ntawv theej lossis hloov kho kuv cov ntaub ntawv sau tseg kev khomob?

Tsoomfwv tsab kev cai lij choj thiab Xeev California tsab kev cai lij choj puav leej tso cai rau cov neeg mob tshuaj xyuas, tau txais cov ntawv theej lossis thov hloov kho lawv cov ntawv sau tseg kev khomob. Tsoomfwv cov qauv txheej txheem muaj nyob hauv Tsab Cai Pab Kas Phais Khomob thiab Lub Luag Haujlwm (Health Insurance Portability and Accountability Act (HIPAA)) cov cai ntiag tug. Lub xeev cov qauv txheej txheem muaj nyob hauv California Tsab Cai Neeg Mob Mus Saib Tau Cov Ntaub Ntawv Khomob, California Tsab Cai Kev Noj Qab Haus Huv thiab Kev Nyab Xeeb tshooj 123100, thiab txuas ntxiv. Tsoomfwv thiab xeev California cov kev cai lij choj puav leej raug tsim los tiv thaiv koj cov cai tab sis muaj qee cov

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txheej txheem sib txawv. Tsoomfwv cov qauv txheej txheem siv tau tshwj tsis yog lub xeev cov qauv txheej txheem muab cov cai ntau dua rau koj. 45 C.F.R. §§ 160.203(b), 160.202 (cov ntsiab lus ntawm “kev coj nruj dua,” cov nqi lus me (2)). Qhov no txhais tau tias qee zaus tsoomfwv cov qauv txheej txheem siv tau, thiab qee zaus lub xeev cov qauv txheej txheem siv tau. Cov ntawv sau tseg no piav qhia txog thaum twg tsoomfwv cov qauv txheej txheem siv tau thiab thaum twg lub xeev cov qauv txheej txheem siv tau.

Hauv yuav lus txhua nqi, California tsab kev cai lij choj muab cov cai kom nkag mus saib lossis hloov kho, cov ntaub ntawv khomob ntau tshaj li tsoomfwv tsab kev cai lij choj. Yog li ntawv, California tsab kev cai lij choj feem ntau pab rau kev nkag mus, thiab hloov kho, neeg mob cov ntawv sau tseg. Txawm li cas los xij, muaj plaub qhov xwm txheej uas tsoomfwv tsab cai HIPAA muab cov cai rau nkag mus hloov kho cov ntaub ntawv ntau tshaj California tsab kev cai lij choj. Tsoomfwv tsab kev cai lij choj muab cov cai ntau dua hauv plaub qhov xwm txheej txuas ntxiv no:

- a) Nkag mus saib cov ntaub ntawv sau tseg kev mob hlwb (zem rau cov ntawv sau kev npliag siab).
- b) Suav sau cov ntsiab lus ntawm cov ntaub ntawv khomob uas sau tseg ntawm cov chaw khomob hloov qhov nkag mus saib cov ntaub ntawv sau tseg.
- c) Hloov kho cov ntaub ntawv khomob.
- d) Nkag mus saib cov ntaub ntawv tsom duab hluav taws xob lossis EKG, EEG, lossis EMG.

Nqi kawg ntawm cov ntawv no piav qhia txog yam qauv txheej txheem twg yog muab rau koj tshuaj xyuas, luam, lossis hloov kho koj cov ntaub ntawv khomob. Tsab ntawv kuj tseem piav qhia seb yam qauv txheej txheem twg tuaj yeem nrhiav pom hauv tsoomfwv tsab cai tus kheej ntiag tug HIPAA lossis hauv California Tsab Cai Kev Noj Qab Haus Huv thiab Kev Nyab Xeeb.

Kuv tuaj yeem tau txais nkag mus saib tau kuv cov ntaub ntawv li cas?

Koj lossis koj tus neeg sawv cev tso cai yuav tsum sau ib tsab ntawv thov tshuaj xyuas thiab/lossis kom tau txais daim ntawv theej ntawm koj cov ntawv sau tseg. H&SC §123110(a), (b). Qhov kev thov kom luam yuav tsum qhia meej txog cov ntaub ntawv sau tseg kom luam. H&SC §123110(b).

Muaj lub sijhawm tsawg kom ua raws li daim ntawv thov kom tshuaj xyuas thiab/lossis tau txais cov ntawv theej ntawm covntawv khomob sau tseg?

Yog. Tus kws khomob yuav tsum tso cai nkag mus saib tau cov ntaub ntawv thaum lub sijhawm ua haujlwm nyob hauv tsib (5) hnuv ua haujlwm tom qab tau txais tsab ntawv sau thov. H&SC §123110(a). Yog tias koj lossis koj tus neeg tso cai sawv cev sau ib tsab ntawv thov kom luam txhua cov ntaub ntawv lossis ib txhia ntawm cov ntawv, cov chaw khomob yuav tsum xa cov ntawv theej nyob hauv kaum tsib (15) hnuv tom qab tau txais ib daim ntawv sau thov. H&SC §123110(b).

Puas muaj ib qho kev txwv ntawm tus neeg mob cov cai nkag mus saib nws cov ntaub ntawv sau kev mob hlwb?

Yog. HIPAA thiab California tsab kev cai lij choj puav leej muaj qee qhov kev txwv nkag mus saib cov ntaub ntawv khomob hlwb. Cov kev txwv tshwj xeeb yog ua raws li qhov seb cov ntaub ntawv sau tseg puas yog ntaub ntawv sau tseg kev npliag siab. Cov ntawv sau tseg kev npliag siab yog tau sau los ntawm cov kws tshaj lij khomob hlwb ntawm cov kws sab laj ntiag tug lossis pab pawg, koom nrog, lossis tus kws sab laj rau tsev neeg thiab cov ntawv ntawv no tau muab cais tawm ntawm koj cov ntawv sau tseg kev khomob. 45 C.F.R. § 164.501.

Yam twg yog cov kev txwv mus saib cov ntaub ntawv sau tseg kev mob hlwb (dhau ntawm ntawv sau tseg kev npliag siab)?

HIPAA cov cai tus kheej ntiag tug tso cai rau tus kws khomob kom tsis kam lees mus saib tau cov ntaub ntawv khomob hlwb (tshwj tsis yog tus kws npliag siab tau sau tseg) tsuas yog ua raws li cov xwm txheej txuas ntxiv no:

- a) Ib tus kws tshaj lij khomob tau txiav txim, hauv kev txiav txim siab ntawm tus kws tshaj lij txiav txim, tias kev nkag mus saib cov ntaub ntawv khomob yuav muaj feem ua rau muaj qhov txaus ntshai rau lub neej txoj sia lossis kev nyab xeeb lub cev ntawm koj lossis lwm tus neeg,
- b) Cov ntaub ntawv sau tseg ntsig txog lwm tus neeg (tshwj tsis yog tus neeg ntawv yog tus kws khomob) thiab tus kws tshaj li khomob tau txiav txim, hauv kev txiav txim siab ntawm tus kws tshaj lij txiav txim, qhov kev thov nkag mus saib cov ntaub ntawv yuav ua rau muaj qhov kev puas tsuaj rau lwm tus neeg ntawd,
- c) Tsab ntawv thov saib cov ntaub ntawv tau ua los ntawm koj tus kheej tus neeg sawv cev (piv txwv li niam txiv, tus neeg saib xyuas, tus neeg zov lossis lub chaw saib xyuas) thiab tus kws tshaj lij khomob tau txiav txim, huav kev txiav txim siab ntawm tus kws tshaj lij txiav txim, tias kev tso cai rau koj tus kheej tus neeg sawv cev yuav ua rau muaj kev puas tsuaj rau koj lossis lwm tus neeg.

Raws li tsab cai HIPAA, qhov uas tsis kam lees rau tus neeg mob mus saib tau cov ntaub ntawv tsuas yog tias kev nkag mus saib ntawv yuav muaj qhov txaus ntshai rau ib tus neeg txoj sia lossis kev nyab xeeb lub cev xwb. Nov yog qhov qauv txheej txheem nyuaj rau tus kws khomob ua tau. Nyob rau ib qho, tuaj yeem tsis kam lees rau tus neeg mob tus neeg sawv cev (piv txwv li niam txiv, tus neeg saib xyuas, tus neeg zov, lub chaw saib xyuas) nkag mus saib cov ntaub ntawv yog tias kev nkag mus saib yuav muaj kev puas tsuaj rau ib tus neeg. Qhov no txhais tau tias kev tso cai rau tus neeg mob tus neeg sawv cev nkag mus saib tus neeg mob cov ntaub ntawv yuav nyuaj dua li kev tso cai rau tus neeg mob nkag mus saib nws tus kheej cov ntaub ntawv.

NCO NTSOOV: Cov kev txwv no tsuas siv tau rau kev nkag mus saib ntawm tus neeg mob, lossis tus neeg sawv cev ntawm tus neeg mob uas tsis tau txais kev tso cai rau nthuav tawm cov ntaub ntawv xwb. Tsis muaj cov kev txwv txog nthuav tawm cov ntaub ntawv rau ib tus neeg dhau ntawm tus neeg mob yog tias tus neeg mob tau sau ib tsab ntawv tso cai tseg.

Tus neeg mob muaj cov cai twg yog tias tus kws khomob tsis kam lees tso cai rau nkag mus saib cov ntaub ntawv kev mob hlwb (dhau ntawm cov ntawv sau kev npliag siab)?

Raws li tsab cai tus kheej ntiag tug HIPAA, yog tias tus kws khomob tsis kam lees tso cai mus saib cov ntaub ntawv sau tseg, tus kws khomob yuav tsum sau ib tsab ntawv tsis kam lees. Tsab ntawv tsis kam lees yuav tsum muaj cov ntsiab lus txuas ntxiv no:

- a) lub hauv paus rau qhov tsis kam lees;
- b) cov cai tshuaj xyuas los ntawm tus kws tshaj lij khomob raug xaiv los ntawm lub chaw khomob (suav nrog cov lus piav qhia ntawm cov kev siv cov cai tshuaj xyuas);
- c) cov cai sau ntawv foob rau lub chaw khomob, thiab cov cai sau ntawv foob rau Lub Chaw Haujlwm Saib Xyuas Kev Noj Qab Haus Huv thiab Pabcuam Tib Neeg txog Pej Xeem Cov Cai.

Nco ntsoov: Qee yam xav tau ntawm tsoomfwv txhawm rau tsis tso cai mus saib thiab ceebtoom siv rrau kev tsis kam lees nkag mus saib cov ntaub ntawv tsum duab hluav taws xob x-ray thiab EKG, EEG thiab EMG ntawm HIPAA cov kws khomob. Qhov no vim tias HIPAA tsab cai tus kheej ntiag tug muab cov cai rau nkag mus saib cov ntaub ntawv no ntau tshaj li California tsab kev cai.

California tsab kev cai lij choj kev txwv tus neeg mob cov cai nkag mus saib nws cov ntawv sau tseg kev kho npliag siab yog dab tsi?

California tsab kev cai lij choj siv nkag mus saib neeg mob cov ntawv sau tseg yog tias tus kws khomob tsis raug pab los ntawm HIPAA. Ntxiv rau,

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California tsab kev cai lij choj hauv txhua feem kom nthauv tawm cov ntawv sau tseg kev npliag siab. Qhov no vim tias tsoomfwv tsab kev cai lij choj tsis xav kom nkag mus saib cov ntaub ntawv sau kho mob npliag siab txhua yam. Yog li ntawv, California tsab kev cai lij choj muab cov cai rau nkag mus saib cov ntaub ntawv ntau dua li tsoomfwv tsab kev cai. (Cov ntawv sau tseg kev khomob npliag siab” yog ib cov ntaub ntawv sau tseg tseem ceeb uas yog cov ntaub ntawv sau tseg los ntawm tus kws tshaj lij khomob hlwb thaum lub sijhawm nyob ib leeg, ua pab pawg, koom nrog lossis kev sab laj nrog tsev neeg thiab tsis muab tso xyaw nrog koj cov ntaub ntawv khomob.)

Raws li California tsab kev cai lij choj, tus kws khomob yuav tsis pom zoo rau tus neeg mob kom tshuaj xyuas lossis muab ib daim ntawv theej ntawm cov ntawv kho puas hlwb rau tus neeg mob yog tias tus kws khomob txiav txim tias muaj qhov “kev pheej hmoo puas tsuaj tsis zoo yog tias muab cov ntaub ntawv rau tus neeg mob pom thiab tau txais” cov ntaub ntawv kho mob hlwb sau tseg ntawd. H&SC §123115(b). Txawm li cas los xij, qhov kev tsis kam lees ntawv tau muab faib ua plaub yam txuas ntxiv no:

- a) Tus kws khomob yuav tsum nkag mus hauv cov lus piav qhia ntawm cov ntawv sau tseg txog kev tsis kam lees tso cai rau tshuaj xyuas lossis muab cov ntawv theej ntawm cov ntawv sau tseg, suav nrog cov lus piav qhia txog kev puas tsuaj tsis zoo rau tus neeg mob uas tus kws khomob xav tseg ua ntej tias yuav tshwm sim yog tias tso cai rau tshuaj xyuas los yog luam daim ntawv rau;
- b) tus kws khomob yuav tsum tso cai rau tshuaj xyuas los yog muab cov ntawv theej ntawm cov ntawv sau tseg kev mob hlwb rau tus kws tshaj lij khomob thiab tus kws phais mob, tus kws npliag siab raug tso cai lossis lus neeg ua haujlwm pabcuam tib neeg uas yog tus neeg mob uas tus xaiv;
- c) tus kws khomob yuav tsum puav leej ceebtoom rau niam txiv thiab tus kws khomob qhov tsis kam lees tso cai rau mus saib tau cov ntaub ntawv uas tau thov tuaj thiab tus neeg mob cov cai tshuaj xyuas thiab tau txais cov ntaub ntawv; thiab
- d) tus kws khomob yuav tsum tau sau tseg txawm tias tus neeg mob tau thov rau lwm tus kws tshaj lij khomob ua tus tshwj xyuas lossis tau txais cov ntaub ntawv thov los xij.

H&SC §123115(b)(1)-(4).

Puas muaj qhov txwv nkag mus saib cov ntaub ntawv hauv kuv cov ntawv sau tseg uas yog lwm tus neeg sau tsis yog tus kws khomob sau?

California tsab kev cai lij choj hais tias tus kws khomob tsis tas yuav tsum tso cai rau nkag mus saib cov ntaub ntawv tau muab “tsis pub lwm tus neeg paub” rau tus kws khomob los ntawm lwm tus neeg dhau ntawm tus kws khomob lossis tus neeg mob. Tsoomfwv tsab cai tus kheej ntiag tug HIPAA hais tseg tias cov ntaub ntawv no tsuas yog tuaj yeem tsis kam tso cai rau qhov yog tias nthuav tawm lawm yuav ua rau “muaj qhov yuav nthuav tawm txog qhov chaw ntaub ntawv.” 164.524(a)(2)(v).

Puas yog muaj lwm yam kev txwv ntawm niam txiv cov cai nkag mus saib nws tus menyuam cov ntaub ntawv sau tseg kev khomob?

Yog. Niam txiv tsis muaj cai tshuaj xyuas lossis tau txais cov ntawv luam ntawm tus menyuam cov ntaub ntawv sau tseg khomob yog tias tus menyuam muaj mob tau txais kev tso cai los ntawm kev cai lij choj kom tso cai rau tus kws khomob kho. H&SC §123115(a)(1). Saib, California Tsab Cai Yim Neeg §§6920-6929. Tsis tas li ntawv xwb, tus niam txiv tsis muaj cai mus saib tua tus menyuam muaj mob cov ntawv sau tseg yog tias tus kws khomob txiav txim tias kev nkag mus saib cov ntawv sau tseg uas tau thov tuaj ntawm niam txiv yuav muaj kev cuam tshuam txog txoj kev khomob ntawm tus kws khomob thiab tus menyuam muaj mob lossis tus menyuam li kev nyab xeeb lub cev lossis kev npliag kom zoo siab. H&SC §123115(a)(2). Qhov kev txwv nkag mus no yog tso cai tshwj xeeb raws li tsoomfwv tsab cai tus kheej ntiag tug HIPAA. 45 C.F.R. § 164.502(g)(3)(ii)(B).

Puas yog tus kws khomob txiav txim siab muab cov ntaub ntawv suav sau ua ke rau ntau dua li tso cai tus neeg mob ncaj qha mus saib cov ntaub ntawv sau khomob?

Tsoomfwv tsab cai tus kheej ntiag tug HIPAA tso cai tus kws khomob npaj cov ntawv sau tseg hloov chaw kev tso cai koj nkag mus saib cov ntaub ntawv, tab sis tsuas yog tias koj pom zoo ua ntej rau kev suav sau thiab them tus nqi rau npaj cov ntawv suav sau. 45 C.F.R. § 164.524(c)(2)(iii)

Yog tias tus kws khomob npaj cov ntaub ntawv suav sau ua ke hloov chaw kev nkag mus saib cov ntaub ntawv, tus neeg mob cov ntaub ntawv nkag mus saib yuav tsum muab suav sau kom txhua tshwj tsis yog tus neeg mob txwv nws qhov kev thov rau cov kev raug mob, muaj mob, lossis ib lub sijhawm twg. H&SC §123130(a). Tej zaum tus kws khomob yuav muab sijhawm tham nrog tus neeg mob kom paub tseeb txog cov ntaub ntawv twg uas xav nrhiav. Yog tias, yog qhov tsim nyog, tus neeg mob thov cov ntaub ntawv hais txog kev raug mob, lossis muaj mob, lossis ib lub sijhawm twg xwb, tus kws khomob yuav tau suav sau cov ntaub ntawv raug mob, muaj mob, lossis ib ncuaj sijhawm twg uas raug xaiv los ntawm tus neeg mob.

Cov ntaub ntawv suav sau yuav tsum muaj txhua qhov kev raug mob, muaj mob, lossis cua sijhawm twg ntawm cov ntaub ntawv uas sau nrog hauv cov ntawv sau tseg txuas ntxiv no:

1. thawj coj cov lus foob, suv nrog keeb kwm dua los;
2. cov ntaub ntawv los ntawm kev sab laj thiab xa mus rau lwm lub chaw khomob;
3. kuaj mob, qhov chaw txiav txim;
4. kev npaj khomob thiab kev tswjhwj suav nrog cov ntawv sau siv tshuaj khomob;
5. kev kho tus mob zoo zuj zus;
6. kuaj mob, suav nrog txuas ntxiv shawb nrhiav qhov teebmeem lossis tus mob;
7. cov ntawv teev num txog cov txheej txheem kuaj mob thiab cov kev ntsuas thiab txhua yam ntawv suav sau nthuav tawm; thiab

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8. cov hom phiaj nrhiav los ntawm cov kev ntsuas lub ceev feem ntau, xws li ntshav siab, qhov lub cev hnyav, thiab cov kev kuaj ntsuas ntshav tau los.

H&SC §123130(b)(1)-(8)

Puas yog tus kws khomob tuaj yeem tsis kam muab cov ntawv sau tseg rau vim tsis them nyiaj?

Tsis yog. Tus kws khomob tsis tuaj yeem tsis kam muab neeg mob cov ntawv sau tseg vim qhov tsis them nyiaj rau qhov kev pab. Ib tus kws khomob twg uas tsis kam muab cov ntaub ntawv sau tseg vim qhov tsis them nqi yuav raug rau lub txim. H&SC §123110(j).

Puas yog tus kws khomob xav tau tus nqi luam ntawv lossis suav sau cov ntawv sau tseg ua ntej muab lossis suav sau cov ntaub ntawv rau?

Yog. Ua ntej muab daim ntawv luam cov ntawv sau tseg rau tus neeg thov tuaj, tus kws khomob yuav thov kom tus neeg thov them: cov nqi luam ntawv, tsis pub tshaj nees nkaum tsib xees (\$.25) toj ib nplooj ntawv lossis tsib caug xees (\$.50) toj ib nplooj ntawv rau cov ntawv sau tseg uas tau luam los ntawm cov chaw luam ntawv (microfilm), thiab kev them nqi lwm yam ntxiv raws li qhov tsim nyog tshwm sim thaum ua cov ntaub ntawv. H&SC §123110(b).

Tsis tas li ntawv xwb, tus kws khomob tuaj yeem sau nqi “tus nqi tsim nyog” raws li lub sijhawm muaj tseeb thiab tus nqi npaj cov ntawv suav sau raws li tus neeg mob tau thov nkag mus saib nws cov ntaub ntawv sau tseg. H&SC §123130(f).

Txawm li cas los xij, tus kws khomob tsis tuaj yeem sau nqi luam cov ntawv sau tseg uas yuav txhawb rau kev foob rau Lub Chaw Pab Kas Phais Pabcuam Neeg Xiam Oos Qhab (Social Security Disability Insurance (SSDI)), Cov Nyiaj Pabcuam Ntxiv (Supplemental Security Income (SSI)) lossis cov nyiaj pab Medi-Cal, yog tias kuv thov rau cov ntaub ntawv sau tseg thiab muab cov ntawv foob rau tus kws khomob. H&SC §123110(d)(1). Yuav tsum tau muab cov ntawv sau tseg hauv 30 hnuv txij

hnuv tau sau daim ntawv thov. H&SC §123110(f). Tsuas yog cov ntawv luam uas cuam tshuam txog cov ntawv sau tseg thiaj raug sau nqi xwb. H&SC §123110 (d)(2). Cov ntawv “Cuam tshuam” yog cov ntawv uas pib txij hnuv pib sau ntawv thov cov kev pab thiab xaus thaum kev txiav txim siab zaum kawg ntawm ib daim ntawv foob. H&SC §123110(d)(1). Tus kws khomob tsis tas yuav tsum sau nqi cov ntaub ntawv sau tseg yog tias tus kws hais plaub sawv cev rau tus neeg mob (tus kws hais plaub uas tsis yog tuaj ntawm lub chaw pab dawb kev caij lij choj). H&SC §123110(d)(3). Yog tias daim ntawv foob tiav, tus kws khomob yuav sau nqi tus neeg mob txog cov ntawv sau tseg uas tau hais tseg saum toj sauv. H&SC §123110(e).

Kuv yuav hloov kho kuv cov ntaub ntawv li cas?

Txog tus neeg mob uas pab them los ntawm HIPAA, kev hloov kho cov ntaub ntawv khomob yog tswjhwj yuav luag txhua yam los ntawm HIPAA cov cai tus kheej ntiag tug. Raws li cov cai no, koj yuav tsum thov tus kws khomob kom kho koj cov ntaub ntawv. 45 C.F.R. § 164.526(b)(1). Tus kws khomob tuaj yeem hais kom koj yuav tsum sau ntawv thov thiab sau cov laj thawj uas thov kom hloov kho, tab sis tus kws khomob yuav tsum ceebtoom cov no rau koj ua ntej koj sau daim ntawv thov. 45 C.F.R. § 164.526(b)(1). Tsis muaj lub sijhawm txwv rau kev thov hloov kho cov ntawv. 45 C.F.R. § 164.526(a)(1). Koj tuaj yeem thov kom hloov kho ntev npaum cas los tau thaum koj cov ntawv tseem muaj nyob hauv. 45 C.F.R. § 164.526(a)(1).

Tus kws khomob yuav tsum saib xyuas koj daim ntawv thov hauv 60 hnuv. 45 C.F.R. § 164.526(b)(2)(i). Tus kws khomob tuaj yeem txuas sijhawm ntxiv 30 hnuv yog tias tus kws khomob sau ib tsab ntawv rau koj piav qhia qhov laj thawj ua qeeb thiab hnuv twg mam li ua tiav. 45 C.F.R. § 164.526(b)(2)(ii).

Yog tias tus kws khomob pom zoo hloov kho koj cov ntaub ntawv, tus kws khomob yuav tsum, ua yam tsawg kawg, qhia cov ntawv sau tseg uas yuav hloov kho thiab sau cov ntawv uas tau hloov kho rau cov ntawv sau tseg lossis muab qhov txuas (link) rau qhov kev hloov kho. 45 C.F.R. § 164.526(c)(1). Tus kws khomob yuav tsum ceebtoom rau koj tias tau hloov kho cov ntaub ntawv, thiab tau txais koj tsab ntawv tso cai kom ceebtoom rau lwm cov neeg uas tau txais cov ntaub ntawv sau tseg hauv lus nug. 45

C.F.R. § 164.526(c)(2). Tus kws khomob yuav tsum muab cov ntawv hloov kho rau cov neeg uas koj ceebtoom tus kws khomob tias tau txais cov ntawv sau tseg hauv lus nug, thiab rau cov neeg uas tus kws khomob paub tias muaj cov ntaub ntawv thiab leej twg tuaj yeem tso siab cov ntaub ntawv rau koj li kev puas tsuaj. 45 C.F.R. § 164.526(c)(3). Cov kws khomob uas tau txais cov ntawv hloov kho yuav tsum tau hloov kho cov ntawv sau tseg hauv cov kws khomob cov ntaub ntawv. 45 C.F.R. § 164.526(e).

Tus kws khomob tuaj yeem tsis kam lees koj daim ntawv thov kho cov ntaub ntawv yog tias tus kws khomob ntseeg tias cov ntawv sau tseg raug thiab ua tiav lawm. 45 C.F.R. § 164.526(a)(2)(iv). Tus kws khomob tuaj yeem tsis kam lees koj daim ntawv thov kom hloov kho cov ntawv yog tias tus kws khomob tsis tuaj yeem tsim cov ntawv sau tseg hauv lus nug (tshwj tsis yog tus tsim cov ntaub ntawv sau tsis tsis nyob lawm txhawm rau ua tus hloov kho cov ntaub ntawv sau tseg); lossis tus kws khomob tsis muaj cov ntawv sau tseg hauv lus nug; lossis koj tsis muaj cai nkag mus saib tau cov ntaub ntawv. 45 C.F.R. § 164.526(a)(2).

Yog tias tus kws khomob tsis kam lees koj daim ntawv thov hloov kho cov ntawv sau tseg, tus kws khomob yuav tsum muab ib tsab ntawv sau tsis kam lees rau koj. 45 C.F.R. § 164.526(d)(1). Tsab ntawv sau tsis kam lees yuav tsum muaj cov ntsiab lus txuas ntxiv no:

- a) Lub hauv paus tsis kam lees (piv txwv li tus kws khomob ntseeg tias cov ntawv sau tseg raug thiab sau tiav lawm).
- b) Tsab ntawv ceebtoom txog koj cov cai xa cov ntsiab lus tsis pom zoo nrog qhov kev tsis kam lees, thiab yuav xa cov ntsiab lus li cas.
- c) Tsab ntawv ceebtoom tias yog koj tsis xa cov ntsiab lus kev tsis pom zoo nrog qhov tsis kam lees, koj tuaj yeem thov tus kws khomob xa koj tsab ntawv thov kom hloov kho, thiab tus kws khomob qhov tsis kam lees, ua ken rog cov kev nthuav tawm cov ntaub ntawv sau tseg yav tom ntej.
- d) Cov lus piav qhia txog koj tuaj yeem sau ntawv foob nrog tus kws khomob lossis nrog Lub Chaw Haujlwm Pabcuam Kev Noj Qab Haus Huv thiab Tib Neeg rau Pej Xeem Cov Cai (OCR).

45 C.F.R. § 164.526(d)(1).

Tus kws khomob yuav “txwv tsis pub sau ntawv ntau dhau raws li qhov tsim nyog” ntawm cov ntsiab lus tsis pom zoo, tab sis yuav tsum pom zoo koj sau ntau txog 250 lo lus. 45 C.F.R. § 164.526(d)(2), H&SC 123111(a). (Tsab cai tus kheej ntiag tug HIPAA teev tseg qhov tsis pub ntev tshaj, tab sis H&SC 123111(a) tso cai koj sau ntau txog 250 lo lus.) Tus kws khomob tuaj yeem npaj sau tsab ntawv tawm tsam koj cov ntsiab lus qhov tsis pom zoo, tab sis tus kws khomob yuav tsum muab daim ntawv theej rau koj. 45 C.F.R. § 164.526(d)(3). Yog tias tus kws khomob nthuav tawm koj cov ntaub ntawv khomob, tus kws khomob yuav tsum muab koj cov ntsiab lust sis pom zoo tso ua ke nrog cov ntawv nthuav tawm. H&SC § 123111(b). (Piv rau tsab cai tus kheej ntiag tug HIPAA, uas tau muab kev xaiv rau tus kws khomob nthuav tawm cov ntaub ntawv suav sau ntawm cov ntaub ntawv thov kho. 45 C.F.R. § 164.526(d)(5)).

Tsis tas li ntawv xwb, txawm tias yuav muaj cov yuav tsum tau ua HIPAA, California tsab kev cai lij choj tso cai koj muab koj sau ib tsab ntawv hloov kho rau tus kws khomob nrog txoj kev hawm txog txhua nqi lus lossis cov ntsiab lus hauv koj cov ntawv sau tseg uas koj ntseeg tias ua tiav lossis raug. Cov ntawv hloov kho yuav tsum tsis pub ntau tshaj li 250 lo lus to jib daim ntawv sau tiav los yog cov ntaub ntawv sau raug hauv koj tus neeg mob cov ntawv sau tseg thiab yuav tsum qhia meej txog qhov uas koj xav kho rau hauv koj cov ntawv sau tseg. H&SC § 123111(b).

Tus neeg mob lossis tus neeg mob tus neeg sawv cev yuav ua li cas yog tias nws tsis tau txais kev tso cai rau mus saib tus neeg mob cov ntawv sau tseg?

Koj tuaj yeem sau ntawv foob nrog tus kws khomob. Tus kws khomob yuav tsum muaj ib tsab ntawv foob raws li HIPAA. 45 C.F.R. 164.530(d).

Cov ntawv foob qhov ua txhaum rau tsoomfww tsab cai tus kheej ntiag tug HIPAA, uas tshwm sim tom qab hnuv tso cai siv cov cai ntiag tug Lub Plaub Hli 14, 2003, tuaj yeem sau ntawv foob mus rau tsoomfww Lub Chaw Haujlwm Pabcuam Kev Noj Qab Haus Huv thiab Tib Neeg Chav Lis Haujlwm Pej Xeem Cov Cai (OCR). 45 C.F.R. § 160.306(a). Qhov chaw nyob ntawm Chav Lis Haujlwm Pej Xeem Cov Cai, Lub Chaw Haujlwm Pabcuam Kev Noj Qab Haus Huv thiab Tib Neeg, 90 7th Street, Suite 4-

Nplooj 13 ntawm 14

100, San Francisco, California 94103, Xovtooj kaw suab (415) 437-8310.
Fev (415) 437-8329. TDD (415) 437-8311.

OCR tuaj yeem muab ib daim ntawv foos rau koj txhawm rau sau ntawv foob. Daim ntawv foos foob tuaj yeem nrhiav pom hauv internet ntawm <http://www.hhs.gov/ocr/privacyhowtofile.htm>; also help with, lossis cov lus nug ntsig txog cov ntawv foos foob tuaj yeem nrhiav pom huas yog hu rau (800) 368-1019. Cov ntawv foob yuav tsum sau nyob hauv 180 hnub txij hnub koj paub lossis yuav tsum paub txog qhov ua txhaum. 45 C.F.R. §§ 160.306(a), 160.306(b)(3). Tsab ntawv foob yuav tsum sau tus kws khomob lub npe uas xav foob txog thiab piav qhia cov cai lossis kev zam uas txhaum tsab kev cai. 45 C.F.R. § 160.306(b)(2). Tuaj yeem nrhiav pom cov ntaub ntawv ntsig txog HIPAA nyob hauv <http://www.hhs.gov/ocr/hipaa/>.

Tus kws khomob yuav tsis ua pauj rau koj qhov koj ua raws li koj cov cai ntawm HIPAA. 45 C.F.R. 164.530(g).

Tus kws khomob uas yeej tau ua txhaum California Tsab Cai Kev Noj Qab Haus Huv thiab Kev Nyab Xeeb yuav tsum raug nplua, suav nrog tab sis tsis tas rau nplua nyiaj \$100 thiab raug ncuva qhov kev tso cai lossis thim kev tso cai rau. H&SC §§123110(i) thiab (j). Tsis tas li ntawv xwb, tus neeg mob lossis tus neeg mob tus neeg sawv cev yuav foob nkag mus saib cov ntaub ntawv. H&SC § 123120. Tog uas yeej rooj plaub muaj cai sau nqi hais plaub thiab cov nqi kws lij choj.

Koj kuj muaj cai foob rau kev puas tsuaj yog tias tus kws khomob raug tso cai ua dhau ntawm lub luag haujlwm muab koj cov ntawv tso pov tseg. H&SC § 123145(b). (Cov kws khomob uas tawm ntawm txoj haujlwm yuav tsum khaws cov ntaub ntawv yam tsawg kawg 7 xyoo thiab tsawg kawg kom txog thaum tus neeg muaj hnub nyoog 19 xyoo. H&SC § 123145(a)). Kev ua txhaum California tsab cai thiab tsoomfwv tsab cai tus kheej ntiag tug HIPAA yuav ua rau muaj lub txim kev tsis ua lub luag haujlwm raws li tus kw khomob ua rau muaj kev poob nyiaj vim tias tsab cai thiab cov cai tsim lub luag haujlwm saib xyuas ib feem ntawm cov kws siv tshuaj khomob.

[Peb xav hnov los ntawm koj! Thov ua kom tiav cov kev ntsuam xyuas txuas ntxiv no txog peb qhov kev tshaj tawm thiab qhia rau peb paub seb peb](#)

Nplooj 14 ntawm 14

[yuav tsum ua li cas!](#)

<https://docs.google.com/forms/d/1d6ezTI2M5UMAWU66exLbc1SQ9wDPzvtuS3AGR4-cgwE/viewform?c=0&w=1>

*Disability Rights California tau pab nyiaj los ntawm ntau qhov chaw pab,
kom pom tag nrho cov npe chaw pab nyiaj, mus rau*

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