

West Virginia Executive Branch Privacy Policy: Individual Rights

Individual Rights of Access are Guaranteed by Many Laws

Question:

Am I guaranteed access to my personal information?

Answer:

Many West Virginia and Federal laws guarantee individuals the right to access personal information (PI). For example, Departments subject to the HIPAA Privacy Rule are required to provide access to each person's personal health information. Have you ever thought about why these requirements exist?

Whenever a person's PI is going to be used to make important decisions about the person – such as how to treat a medical problem, or whether the person is eligible for insurance – it's critical that the PI be accurate and complete.

Providing individuals with access to their PI helps ensure accuracy by allowing the individuals to periodically verify the information about them. If PI is inaccurate, the person can object and explain the error.

Because it's so important for PI that's used for decision-making to be accurate, we see access rights mandated laws. Other laws that include access rights are the Fair Credit Reporting Act (FCRA), the Fair Debt Collection Practices Act (FDCPA), and the Family Educational Rights and Privacy Act (FERPA).