

WCHO		<i>Policy and Procedure</i>		
Department HIPPA		# of Pages: 4		
Policy Name NOTICE OF PRIVACY PRACTICES		Type of Policy: <input type="checkbox"/> WCHO <input type="checkbox"/> Regional <input type="checkbox"/> Network		
Policy Number 14.004	Effective Date	Revision Date	Approval Date	
Administrative/Board of Directors Sign Off				
Administrative Signature:			Date:	
Board of Directors Signature:			Date:	

I. PURPOSE

To establish guidelines for informing recipients of the circumstances under which their medical, mental health and substance abuse information will be used and disclosed, and their rights regarding their protected health information.

II. APPLICATION

All Washtenaw Community Health Organization (WCHO) staff, students, and volunteers, those of providers under contract with WCHO and affiliation members.

III. DEFINITIONS

Protected Health Information – Medical, mental health, and substance abuse information that is individually identifiable and that is transmitted in any form or medium.

IV. POLICY

All recipients of WCHO services have the right to notice of the uses and disclosures of protected health information that may be made in the course of providing services to the recipient. Furthermore, a recipient has the right to know his or her rights and the WCHO legal duties with respect to the use and disclosure of confidential information. Such information will be provided by the WCHO to all recipients in the form of a Notice of Privacy Practices, which will comply with section 164.520 of the Health Insurance Portability and Accountability Act of 1996, the Michigan Mental Health Code, 42 C.F.R. (Code of Federal Regulations) Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; Final Rule, and all other applicable laws.

V. EXHIBITS

Notice of Privacy Practices, effective date 4/13/03

VI. REFERENCES

- A. 45 CFR (Code of Federal Regulations) Parts 160 and 164, Standards for Privacy of Individually Identifiable Health Information; Final Rule.
- B. 42 CFR, Part 2: Confidentiality of Alcohol and Drug Abuse Patient Records; Final Rule
- C. Michigan Mental Health Code (Act 258 of 1974)

VII. STANDARDS

- A. A Notice of Privacy Practices shall be posted at all WCHO service delivery sites, and the service delivery sites of contractual providers. Notice must be posted in a clear and prominent location where it is reasonable to expect recipients and those seeking services from the WCHO to be able to read it. Copies of the notice shall be available at each service delivery location to be given to consumers or others upon their request.
- B. A Notice of Privacy Practices shall be given to each new recipient, guardian, or parent of a minor during his or her initial visit along with a brief explanation of the Notice and an opportunity for the recipient to have questions answered. If services are provided in an emergency situation, a good faith effort must be made to provide the recipient with a copy of the Privacy Notice; such efforts must be documented in the recipient's record. A copy of the Privacy Notice shall be given to the recipient as soon as reasonably practical after treatment of the emergency situation.
- C. Each recipient who received a Notice of Privacy Practices shall be asked to sign an Acknowledgement of Receipt, which will be made a part of the recipient's record. If the recipient cannot or will not sign the Acknowledgment of Receipt, a good faith effort to obtain such signature must be documented in the recipient's record, as well as the reason why the acknowledgement was not obtained.
- D. Whenever the Notice of Privacy Practices is revised, the revised Notice must be made available upon request on or after the effective date of the revision, and promptly posted at all WCHO service delivery sites.

VIII. PROCEDURES

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| Privacy Officer | 1. Drafts Notice of Privacy Practices. |
| CMH Partnership of Southeastern Michigan, HIPAA Security Committee, WCHO Consumer Advisory Board, WCHO legal counsel | 1. Reviews and provides comments regarding draft Notice of Privacy Practices. |
| WCHO Director, WCHO Board | 1. Reviews and approves draft Notice of Privacy |

Practices.

Privacy Officer

1. Ensures that a copy of the Notice of Privacy Practices is posted at each service location no later than the effective date of the Notice.
2. Ensures that a copy of the Notice of Privacy Practices is placed on the WCHO website.

Clinical Staff

1. During the initial admission visit, briefly reviews with the recipient, guardian or parent of a minor the content of the Notice of Privacy Practices.
2. Gives a copy of the Notice of Privacy Practices to the recipient, guardian or parent or a minor.
3. Makes a good faith effort to obtain signature of the recipient, guardian or parent of a minor on the Acknowledgment Form.
4. For recipients currently receiving services on the effective date of the Notice of Privacy Practices, gives the recipient, guardian or parent of a minor a copy of the Notice no later than the first contact after the effective date of the Notice. Provides a brief explanation of the contents of the Notice and makes a good faith effort to obtain signature of recipient, guardian or parent of a minor on the Acknowledgment Form.
5. If unable to obtain a signed Acknowledgment Form, documents in the clinical record that a good faith effort was made to obtain the signature.

Privacy Officer/Security Committee

1. At least annually reviews the current notice to determine if it continues to conform to the actual privacy practices of WCHO, its contract providers and affiliation members.
2. Updates Notice as necessary.
3. Ensures that a copy of the updated Notice is posted at each service location no later than the effective date of the Notice and that copies are available to be given to recipients and others upon request.

Clinical Staff

1. Ensures that new recipients receive a copy of the updated notice and sign an Acknowledgment Form at their initial visit.

WHO

DOES WHAT

Clinical Staff

2. Reviews the Privacy Notice annually with the recipient to facilitate the recipient's awareness and understanding of the Privacy Notice.
3. Is available to answer questions a recipient may have regarding the privacy practices of WCHO.

All Staff

1. During new staff orientation, shall read the Notice of Privacy Practices and sign a Confidentiality Agreement.
2. Shall receive regular Confidentiality training that includes a review of the provisions in the Notice of Privacy Practices.