

Status **Active**



Origination	02/2015
Last Approved	02/2023
Effective	02/2023
Last Revised	02/2023
Next Review	02/2026

Notice of Privacy Practices

Scope:

The HIPAA Privacy and Security Policies apply to all affiliates of Phoebe Putney Health System.

Purpose:

As required by the HIPAA Privacy Rule, individuals/patients who have a direct treatment relationship with PPHS must be provided with a Notice of Privacy Practices that:

- Outlines how their PHI is used and disclosed by PPHS;
- What their individual rights are with respect to their PHI; and
- PPHS' legal duties with respect to PHI.

This policy has been developed to ensure that a Notice of Privacy Practices is developed and maintained in accordance with the regulatory requirements, is made available to staff as needed, and is provided to individuals/patients as required by law.

Definitions:

- **Protected Health Information (PHI):** Any oral, written, or electronic individually identifiable health information collected or stored by an entity. Individually identifiable health information includes demographic information and any information that relates to the past, present, or future physical or mental condition of an individual.

Policy and Procedure:

I. Development of the Notice of Privacy Practices ("Notice")

- A. PPHS' Notice will be developed by the PPHS Privacy Officer and will be written in accordance with the content requirements of the HIPAA Privacy Rule (45 C.F.R. §164.520) to include the following:
 1. Written in plain language.
 2. A statement or header that reads: "THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY". (45 C.F.R. § 164.520(b)(1)(i))
 3. Uses and disclosures of PHI. (45 C.F.R. § 164.520(b)(1)(ii))
 4. Separate statements for certain uses or disclosures of PHI. (45 C.F.R. § 164.520(b)(1)(iii))
 5. Individual rights with respect to PHI. (45 C.F.R. § 164.520(b)(1)(iv))
 6. PPHS' duties with respect to PHI. (45 C.F.R. § 164.520(b)(1)(v))
 7. A statement that individuals/patients may file a complaint with PPHS or with the Secretary of HHS if they believe their privacy rights have been violated. (45 C.F.R. § 164.520(b)(1)(vi))
 8. The name or title and telephone number of a person or office at PPHS to contact for further information (such as the PPHS Privacy Officer). (45 C.F.R. § 164.520(b)(1)(vii))
 9. The effective date of the Notice. (45 C.F.R. § 164.520(b)(1)(viii))
- B. The Notice will include a statement that PPHS reserves the right to change the terms of the Notice with respect to PHI. (45 C.F.R. § 164.520(3))

II. Availability & Provision of the Notice (45 C.F.R. § 164.520(c))

- A. The PPHS Privacy Officer will ensure that the Notice is made available to all PPHS workforce members as necessary.
- B. The Notice will remain posted to the PPHS intranet and website.
- C. The Notice will be provided to Business Associates upon request.
- D. The Notice will be provided or made available to individuals/patients who have a direct treatment relationship with PPHS' healthcare providers as follows: (45 C.F.R. § 164.520(c)(2)(i))
 1. No later than the date of the first service delivery. (45 C.F.R. § 164.520(c)(2)(i)(A))
 2. Upon request. (45 C.F.R. § 164.520(c))
 3. On or after the effective date of revision. (45 C.F.R. § 164.520(c)(2)(iv))
 4. Promptly available at the service delivery site for individuals/patients to request to take with them. (45 C.F.R. § 164.520(c)(2)(iii)(A))

5. Posted in a clear and prominent location at all practice locations where it is reasonable to expect individuals/patients seeking service from PPHS to be able to read the Notice. (45 C.F.R. § 164.520(c)(2)(iii)(B))
 6. Posted on the PPHS website where information about customer services or benefits is posted, and available electronically through the website. (45 C.F.R. § 164.520(c)(3)(i))
- E. Upon provision of the Notice to individuals/patients, PPHS' workforce members will:
1. Explain the Notice to the individual/patient, if requested.
 2. Exercise best efforts to obtain a written acknowledgement that the individual/patient has received the Notice.
 3. If unable to obtain an acknowledgement of receipt of the Notice, document why it was not received.
 4. Document that the Notice has been provided and the date that it was provided.
 5. In emergency situations, where the patient may be incapacitated, provide the Notice to the individual/patient as soon as reasonably practicable thereafter. (45 C.F.R. § 164.520(c)(2)(i)(B))
 6. Except in an emergency treatment situation, make a good faith effort to obtain a written acknowledgement of receipt of the Notice, and if not obtained, document its good faith efforts to obtain acknowledgement and the reason it was not obtained. (45 C.F.R. § 164.520(c)(2)(ii))
 7. Refer individuals/patients to the PPHS Privacy Officer if they have in-depth questions about the Notice.

III. Revision of the Notice (45 C.F.R. § 164.520(b)(3))

- A. The PPHS Privacy Officer will periodically review the Notice and make changes, as necessary; this includes changes required by revisions to privacy policies and procedures. Changes will be reviewed and approved by the Compliance Committee.
- B. Changes to the Notice will be communicated to all appropriate PPHS workforce members with information on the effective date of revisions and instructions for providing the revised Notice to all individuals/patients.
- C. For recurring patients, the Notice may be provided at the initial interaction and does not need to be provided again, unless a change has been made. In the event that the Notice or PPHS' Privacy Practices are revised, PPHS shall redistribute its Notice, as necessary, and in compliance with regulations.

IV. Documentation

- A. The PPHS Privacy Officer will ensure that the original Notice and all subsequent revised versions, along with documentation relating to the development and revision of the Notice, are maintained for a minimum of six years.

References:

45 C.F.R. § 164.520

Attachments:

- Attachment A - Acknowledgement Form for Notice of Privacy Practices
- Attachment B - Notice of Privacy Practices
- Attachment C - Notice of Privacy Practices- Spanish
- Attachment D - Notice of Privacy Practices – PPHS Affiliated Covered Entity Members