PURPOSE: To facilitate the patient’s right to receive the Notice of Privacy Practices (NPP) in compliance with the Privacy Rule of the Health Insurance Portability and Accountability Act (HIPAA).

POLICY:

Content of NPP
The NPP must be written in plain language and must include, at a minimum:

- The header must state: “THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW TO GET ACCESS TO THIS INFORMATION, PLEASE REVIEW IT CAREFULLY.”
- A description, including at least one example of the types of disclosures WHS is permitted to make for treatment, payment and healthcare operations.
- A description of each of the other purposes when WHS is permitted or required to use or disclose information with patient’s consent or authorization.
- A statement that other uses or disclosures will be made only with patient’s written authorization and patient’s right to revoke the authorization.
- The patient’s right to access protected health information (PHI), request to amend PHI, request confidential communications, receive an accounting of disclosures, request restrictions on certain uses/disclosure of PHI and obtain a copy of the NPP.
- Statement that WHS is required by law to maintain the privacy of PHI and to provide and abide by the NPP.
- Statement that WHS may change NPP and that the change will apply to future PHI and how any change will be communicated.
- Statement that patients may complain to WHS Privacy Official, KU-Lawrence Campus Privacy Official and the Secretary of Health & Human Services. Including description of how to file a complaint and a statement that the patient will not be retaliated against for filing the complaint.

The NPP may include both a short notice that briefly summarizes the individual's rights, and a longer notice, layered beneath the short notice, that contains all of the elements required by the Privacy Rule if the summary is integrated into the NPP (not a separate document).
Delivery of the NPP:
1. The delivery of the NPP will occur no later than the first date of service. NOTE: For recurring patients, this delivery only needs to occur once.
2. Post the NPP at each registration site throughout the building and on the WHS website.
3. If the NPP is delivered electronically, special rules apply. Contact the WHS Privacy Official for instructions.
4. Provide a written copy to the patient, upon request.
NOTE: WHS must remain neutral on the patient’s right to read the entire NPP prior to signing the written consent.

Acknowledgement of NPP
1. Except in an emergency treatment situation, WHS will make a good faith effort to obtain a written acknowledgement from the patient of receipt of the NPP (see form: Consent for the Use or Disclosure of Health Information for Treatment, Payment or Healthcare Operations).
2. If written acknowledgement cannot be obtained, the good faith effort must be documented on the consent form. The patient must be informed that treatment information will not be disclosed and payment information cannot be sent out to third parties for payment.
3. In an emergency treatment situation, the NPP should be delivered and the written acknowledgement obtained as soon as reasonably possible.

Revisions to NPP
1. All revisions must be approved by the KU-Lawrence Campus Privacy Official prior to implementation.
2. WHS must revise the NPP to reflect material changes in privacy practices.
3. WHS will post the updated version of the NPP to the website and within the building.
4. It is not necessary for returning patients to sign another consent form each time the NPP is revised.

Documentation
1. The signed consent form (and documentation of good faith efforts) will be posted in the patient’s medical record.
2. WHS must retain copies of all versions of the NPP issued.

REFERENCES:

This document is on file with the KU Policy Library.