

Unlimited Services, Inc.
Agency Policies & Procedures

POLICY #: 25.2

SUBJECT: Notice of Privacy Practices

PURPOSE: To provide that individuals served and other interested persons have a defined opportunity to receive adequate notice of 1) the uses and disclosures of protected health information (“PHI”) that may be made by Unlimited Services; 2) patient rights concerning PHI; and 3) Unlimited Services’ legal duties pertaining to PHI.

PROCEDURE:

1. Reasonable effort shall be made to provide individuals or their legally authorized representative the current Notice of Privacy Practices (NPP) on the date of the first service delivery. An exception exists where the first service delivery involves emergency medical treatment; in such cases, the NPP shall be provided as soon as it is reasonably practicable to do so.
2. Except in emergencies, reasonable effort shall be made to obtain a signed acknowledgment of receipt of the current NPP from the individual or the legally authorized representative.
3. Document reasonable attempts to provide the current NPP by filing the signed acknowledgment of receipt in the medical record. Refusals to sign the acknowledgement, or refusals to accept the NPP, shall also be documented.
4. A current NPP will be posted in a prominent location where it is reasonable to expect that individuals will see and have an opportunity to read the document. At any time, an individual or the individual’s legally authorized representative may request and receive a copy of the current NPP.
5. The NPP shall describe actual privacy practices and examples of all uses and disclosures of PHI. Any change to actual privacy practices shall be reflected in the NPP. Subsequent to any revision, a copy of the “old” NPP shall be retained for 6 years from the date it was last effective.
6. Any person, not only an individual, having questions about the NPP, or privacy/confidentiality practices, shall be directed to the Privacy Officer for further information if necessary.
7. Any member of the general public (who is not an individual or an individual’s legally authorized representative) requesting the NPP shall be provided the current NPP as promptly as circumstances permit. The documentation requirements do not apply.

Primary Responsible Party: Privacy Officer: 563-252-1062

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Other Responsible Party:

All staff should have general knowledge and be able to direct questions/concerns appropriately.

Procedure:

1. Individuals or their legally authorized representative must be provided the current Notice of Privacy Practices (NPP) no later than the date of the first service delivery.
 - a) Ask the individual or the individual's representative to sign the contractual agreement during admission and annually at their PCP. The signed document shall be filed and maintained in the patient record.
 - b) If the individual refuses the offered NPP or declines to sign the acknowledgement form on the contractual agreement:
 - Document the refusal on the contractual agreement, and
 - File it in the medical record.
For example: "Mr. Smith declined to accept NPP" or "Mr. Smith accepted NPP, but refused to sign the contractual agreement when requested."
 - Sign and date the notation.
2. There is no requirement to provide the current NPP, or attempt to do so, where the first patient encounter involves emergency medical treatment, making the provision of notice and related documentation requirements impractical and/or inappropriate.
 - a) The documentation in the medical record should corroborate that the individual required and received emergency medical treatment. In such cases, the current NPP shall be provided as soon as it is reasonably practicable to do so. This may be when the individual has stabilized, at the next scheduled appointment, via mail if it appears the individual may not return for another appointment, or by any other means reasonable and appropriate under the specific circumstances.
 - b) When provision of the current NPP at the first service is not accomplished due to the emergency exception, written acknowledgement of subsequent provision is not required but is recommended.
3. Copies of the current NPP shall be maintained and available to give to any individual, legally authorized representative, or other person, so requesting.
4. The NPP shall be revised any time there are material changes to the uses and disclosures of PHI, patient rights, provider duties, or other privacy practices referenced in the original NPP.
5. Individuals receiving the NPP who have questions or desire further information should be directed to the Privacy Officer, as necessary. Every effort should be made to help interested Clients understand the information contained in the NPP.

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Policies and Procedures Specific to Electronic Notices of Privacy Practices and/or Electronic Service Delivery:

1. The current NPP will be prominently posted on the Web site and made readily available electronically through our Web site.
2. The current NPP may be provided by e-mail if the individual or individual's legal representative agrees.
3. If the first service is delivered electronically, the individual shall be provided the current NPP automatically and contemporaneously in response to the first request for service.

Compatible forms with policy:
Notice of Privacy Practices Posting for People Served
Acknowledgment & Certification of Privacy Practices

References:

45 CFR Subtitle A, Subchapter C. Section 164.520

Draft: 3/31/21ja
Approved: 04/22/21av
Revised: 4/18/22av added compatible forms to the policy