

PLUMAS COUNTY, CALIFORNIA



HIPAA RELATED POLICIES AND PROCEDURES

EFFECTIVE APRIL 14, 2003

DISTRIBUTING THE NOTICE OF PRIVACY PRACTICES

Policy:

An individual has the right to receive a copy of Plumas County's Notice of Privacy Practices.

Purpose:

The notice is intended to explain how the County will use and disclose the individual's protected health Information (PHI) and to state the individual's rights and Plumas County's legal duties with respect to PHI.

Responsibilities:

Under specified circumstances, the County is responsible for distributing the Notice of Privacy Practices and must make a good faith effort to obtain written acknowledgment of receipt from the individual.

The County must ensure that the content of the Notice of Privacy Practices:

- Is written in plain language so the average reader can understand it.
- Includes the following language "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."
- Includes at least one example of the types of uses and disclosures that are permissible under the HIPAA Privacy Rule for treatment, payment and health care operations.
- Includes descriptions of other purposes for which PHI may be used or disclosed without an individual's written permission.
- Includes descriptions of any limitations or prohibitions imposed by law on any permitted use and disclosure.
- Includes a statement that other uses and disclosures will be made only with an individual's written authorization and that the individual may revoke such authorization.
- States the following individual rights:
 1. To request restrictions on certain uses and disclosures;
 2. To receive confidential communications of PHI;
 3. To inspect and copy PHI;

4. To request to amend PHI
5. To receive an accounting of PHI disclosures; and
6. To receive a paper copy of the Notice upon request.

- States that the County is required to abide by the terms of the Notice currently in effect.
- States that the County has the right to change practices and will revise the Notice to reflect the changes.
- Informs individuals that they may complain if they believe their privacy rights have been violated and include a non-retaliation statement.
- Identifies the person or office to contact for further information or complaints
- Includes the date on which the Notice is first in effect.

The County must keep the Notice of Privacy Practices separate from any other consent forms.

Process:

Each individual seeking health related services from the County must be given the Notice of Privacy Practices during their first in-person service visit. Employees enrolling in the self insured portions of the health plans offered by the County must be given the Notice. The County must make a good faith effort to obtain written acknowledgment from the individual that they received the Notice. If such acknowledgment cannot be obtained, staff must document their effort and the reason they were unsuccessful.

The County will mail the Notice of Privacy Practices to individuals receiving their first service by telephone.

The Notice must be available to any individual upon request.

The Notice can be made available by e-mail, if the individual agrees to electronic notice.

Copies of the Notice must be made available at each physical service delivery site in the County and must be posted in a prominent location where it is reasonable to expect that individuals seeking service will be able to read it.

At least once every three years, the County must notify individuals enrolled in its self insured health plans of the availability of the Notice and how to obtain a copy of the Notice.

Date issued: April 14, 2003
Last revision date: March 22, 2005

Reference: 45 CFR 164.520 and 45 CFR 164.530(j)