

HIPAA: Notice of Privacy Practices

As you probably know, the HIPAA compliance deadline is April 14, 2003. That means that by that date we must implement and follow the health information privacy standards outlined in federal law. HIPAA: Nuts and Bolts explain major aspects of how the HIPAA standards will impact practices at OHSU.

Notice of Privacy Practices

One new document is the Notice of Privacy Practices (NPP). This document must be given to each patient at the first date of service after April 14, 2003. Procedures for distributing this to patients will vary by area; check with your supervisor for how this is being handled. The NPP must be given to patients with whom we have a direct treatment relationship. This means that we interact directly with the patient about their care. So, a physician who sees a patient has a direct treatment relationship. A lab that performs tests and reports the results to the ordering physician (rather than directly to the patient) does not. The NPP describes what we do with patient information in the course of treatment, payment, and health care operations, and is designed to educate our patients about how their health information is used and disclosed at OHSU. So, suppose a patient presents at an ambulatory practice or at Admitting on April 15, 2003. She will be given a Notice and asked to sign an acknowledgement that she has received it. This acknowledgement must then be documented in the A2K system, on a screen that is being built for this purpose. This acknowledgement only needs to be obtained ONCE from a patient. Some commonly asked questions about the NPP are:

Where can I find the Notice of Privacy Practices?

OHSU is ordering the NPP and the acknowledgement from Realizon. It is also posted on the web at <http://www.ohsu.edu/integrity/> The NPP icon will also be pushed out to most clinical desktops. Clicking on this icon will take you to the NPP. Finally, poster-sized versions of the NPP will be in key clinical care areas. OHSU's HIPAA Team is coordinating with Logistics to identify optimal locations and post these. These posters will go up in early April, 2003. The Acknowledgement form can also be ordered from Realizon, and is posted on the web at <http://ozone.ohsu.edu/healthsystem/HIS/mr4636.pdf>

What is someone who is not a patient asks for a copy of the NPP?

We are required to provide a copy to anyone who asks for it. We are not required to document this if the recipient is not an OHSU patient.

Will the NPP be available in multiple languages?

Yes. The NPP will be available in English, Spanish, Vietnamese, Chinese, and Russian.

What if a patient arrives and is unconscious or otherwise unable to sign an acknowledgment?

We are not required to obtain acknowledgement under emergency circumstances. However, we should attempt to do so at the first reasonable opportunity after things have settled down and the patient has been stabilized.

What about minors?

An NPP and an acknowledgement form should be given to the parent or legal representative of a minor. If a parent arrives with three children who will be treated, you may provide one Notice, but the parent should sign an acknowledgement form for each of the three children.

What is a patient refuses to sign the acknowledgement form? Should we refuse to treat them?

No. HIPAA says that we must make a good faith effort to obtain the patient's acknowledgement that they received the NPP. If we are unable to do so, we must document why, but may still treat the patient. On the A2K screen where acknowledgement of the NPP is recorded, there will be reason codes that you can use if you were unable to obtain the patient's acknowledgement.

What if patients have questions about the NPP?

A phone number is provided on the last page of the document. If you cannot answer a patient's questions, refer them to that number.