

LAC+USC MEDICAL CENTER POLICY

Subject: PRIVACY STANDARDS: WAIVER OF RIGHTS	Original Issue Date: 4/14/03	Policy # 203.5
	Supersedes: 2/7/17	Effective Date: 11/21/22
Departments Consulted: Privacy Committee Patient Access Center Nursing Services Health Information Management Ethics Resource Committee Support Services Clinical Social Work Customer Service Center	Reviewed & Approved by: Attending Staff Association Executive Committee Senior Executive Council	Approved by: (Signature on File) Chief Medical Officer (Signature on File) Chief Executive Officer

PURPOSE

This document sets forth the policy of the LAC+USC Medical Center prohibiting the conditioning of treatment, payment, enrollment in a health plan, or eligibility for benefits on an individual's waiver of rights under the Privacy Standards of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

POLICY

The Medical Center will not require individuals to waive any of their rights under HIPAA as a condition of treatment, payment, enrollment in a health plan, or eligibility for benefits.

DEFINITION

Workforce or

Workforce Members

Employees, contractors, volunteers, trainees, and other persons whose conduct, in the performance of work for the Medical Center, is under the direct control of the Medical Center, whether or not they are paid by the County.

PROCEDURE

- The Medical Center HIPAA (Privacy) Compliance Office shall investigate reports or complaints that the Medical Center acted to condition treatment, payment, enrollment in a health plan, or eligibility for benefits on a waiver of the rights that individuals have under HIPAA.
- The Medical Center HIPAA Privacy Compliance Office together with the Office of Human Resources, must take appropriate disciplinary action against any workforce member found to have violated this policy, in accordance with Medical Center Policy 548, "Privacy Standards and Policies: Disciplinary Actions for Failure to Comply With."
- Individuals who believe they have been treated in a manner that violates this policy, may file a complaint with the Medical Center HIPAA Privacy Compliance Officer, the Los Angeles

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	Executive Director's Initials: Initials on File	

County Department of Health Services Privacy Officer, the Los Angeles County Chief Information Privacy Officer, or the federal government (Secretary of the Department of Health and Human Services) in accordance with the Medical Center Policy 203.7, "Protected Health Information: Complaints Related to the Privacy Of."

RESPONSIBILITY

- Administration
- HIPAA Compliance Office
- Office of Human Resources
- All Employees
- Attending Staff
- Residents
- Allied Health Professionals
- Nursing

REFERENCES

- 45 Code of Federal Regulations, Parts 160 and 164
- DHS Policy No. 361.10, "Disciplinary Actions for Failure to Comply with Privacy Policies and Procedures"
- DHS Policy No. 361.11, "Complaints Related to the Privacy of Protected Health Information"
- DHS Policy No. 361.12: "Waiver of Rights"
- Medical Center Policy No. 548, "Privacy Standards and Policies: Disciplinary Actions For Failure to Comply With"
- Medical Center Policy No. 203.7, "Protected Health Information: Complaints Related to the Privacy Of"

REVISION DATES

April 14, 2003; November 13, 2007; September 25, 2008; December 10, 2013; February 7, 2017; November 21, 2022