

HARBOR-UCLA MEDICAL CENTER

**SUBJECT: IMPLEMENTING CHANGES TO PRIVACY-RELATED POLICIES**

**POLICY NO. 702**

**PURPOSE:**

The purpose of this Policy is to establish procedures for implementing changes to Department of Health Services policies and procedures developed to comply with Standards of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, 45 Code of Federal Regulations Parts 160 and 164.

**POLICY:**

Harbor-UCLA Medical Center will take steps to ensure that they appropriately implement changes to Privacy-Related Policies are implemented as necessary to comply with changes in applicable law.

**DEFINITIONS:**

**Disclose and Disclosure** means, with respect to PHI, the release of, transfer of, provision of access to, or divulging in any manner of, PHI outside of Harbor-UCLA Medical Center’s internal operations or to other than its Workforce Members.

**Protected Health Information** ("PHI") means information that is created or received by a Health Care Provider, Health Plan, employer or Health Care Clearinghouse; relates to the past, present or future physical or mental health or condition of an individual; the provision of Health Care to an individual, or the past, present or future Payment for the provision of Health Care to an individual; and identifies the individual (or for which there is a reasonable basis for believing that the information can be used to identify the individual).

**Use or Uses** means, with respect to PHI, the sharing, employment, application, utilization, examination or analysis of such information within Harbor-UCLA Medical Center's internal operations.

**Workforce Members** means employees, volunteers, *trainees*, and other persons whose conduct, in the performance of work for the department, its offices, programs or facilities, is under the direct control of the department, office, program or facility, regardless of whether they are paid by the entity.

**PROCEDURE:**

**I. Location of Policies and Procedures**

Harbor-UCLA Medical Center will be responsible for maintaining all Privacy-Related Policies. Such policies and procedures will be maintained in a manual and will be available for all of Harbor-UCLA Medical Center's Workforce Members to review.

**EFFECTIVE DATE: 04/14/03**

**SUPERSEDES**

**REVISED: 03/14**

**REVIEWED: 12/08, 03/14, 07/17**

**REVIEWED COMMITTEE: N/A**

**APPROVED BY:**

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**Kim McKenzie, RN, MSN, CPHQ**  
 Chief Executive Officer

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**Anish Mahajan, MD**  
 Chief Medical Officer

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**Patricia Soltero Sanchez, RN, BSN, MAOM**  
 Chief Nursing Officer

Signature(s) on File.

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**II. Changes to Policies and Procedures Due to Changes in Law**

- A. The Department of Health Services (DHS)/Harbor-UCLA Medical Center will promptly make changes to Privacy-Related Policies whenever a change in law necessitates such a revision. The Privacy Officer or designee will be responsible for keeping abreast of changes in the law that could affect DHS' Privacy-Related Policies. The Privacy Officer will timely notify Harbor-UCLA Medical Center of any such changes.
- B. DHS/Harbor-UCLA Medical Center in consultation with the DHS legal counsel will be responsible for promptly making changes to Privacy-Related Policies and sending the revised policies to the Privacy Officer for review. If the Privacy Officer approves the changes, DHS/Harbor-UCLA Medical Center will be responsible for implementing changes to the relevant Privacy-Related Policies in accordance with this Policy.
- C. DHS/Harbor-UCLA Medical Center will be responsible for notifying and training all of its workforce whose duties are affected by the changes in the Privacy-Related Policies, in accordance with DHS Policy No. 361.24, "Privacy and Security Awareness and Training Policy".
- D. If a change in law materially affects the contents of the Department of Health Services Notice of Privacy Practices ("Notice"), DHS/Harbor-UCLA Medical Center will promptly make the appropriate changes to the Notice, DHS/Harbor-UCLA Medical Center will promptly distribute the Notice in accordance with DHS Policy No. 361.2, "Notice of Privacy Practices".

**III. Changes in Privacy Practices Stated in the Department of Health Services (DHS) Notice of Privacy Practices**

- A. If DHS/Harbor-UCLA Medical Center makes a change to a privacy practice that is stated in the Notice DHS/Harbor-UCLA Medical Center will:
  - 1. Promptly revise the Notice as set forth above.
  - 2. Make the corresponding change to the Privacy-Related Policies and ensure such policies comply with HIPAA;
  - 3. Document the revised Privacy-related Policies in accordance with DHS Policy No. 881, "Retention of Medical Records and X-Ray Films"; and
  - 4. Revise and distribute the Notice in accordance with DHS Policy No. 361.2, "Notice of Privacy Practices". DHS/Harbor-UCLA Medical Center is responsible for ensuring that a change to a Privacy-Related Policy that affects the contents of the Notice is not implemented prior to the effective date of the revised Notice.
- B. DHS/Harbor-UCLA Medical Center may make changes to a privacy practice that will become effective for PHI that it created or received prior to the effective date of the Notice revision in accordance with the provision in the Notice in which DHS reserves the right to make changes to its privacy practices.

**IV. Other Changes to Policies or Procedures**

- A. DHS/Harbor-UCLA Medical Center may change, at any time, a Privacy-Related Policy that does not affect the contents of the Notice if the following requirements are met:
  - 1. The revised Policy complies with all other requirements in this Policy; and
  - 2. The revised Policy is documented in accordance with DHS Policy No. 881.
- B. DHS/Harbor UCLA Medical Center is responsible for reviewing all proposed changes to Privacy-

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Related Policies to determine if they comply with the requirements of this Section IV. If a proposed change complies with this Section, DHS/Harbor-UCLA Medical Center will be responsible for making such change. If a proposed change does not meet the requirements of this Section, DHS/Harbor-UCLA Medical Center will only make the change as otherwise permitted by this Policy.

**Contact for Questions**

If a Workforce Member has any questions about implementing changes to Privacy-Related Policies, such Workforce Member should contact the Harbor-UCLA Medical Center's Privacy Coordinator.

**REFERENCES:**

45 Code of Federal Regulations Parts 160 and 164.

DHS Policy No. 361.2, "Notice of Privacy Practices"

DHS Policy No. 361.24, "Privacy and Security Awareness & Training Policy"