

HARBOR-UCLA MEDICAL CENTER

SUBJECT: NOTICE OF PRIVACY PRACTICES

POLICY NO. 703

PURPOSE:

To establish the process for providing a Notice of Privacy Practices (“Notice”) to patients regarding the use and disclosure of their Protected Health Information (PHI), as well as the patients’ rights and Harbor-UCLA Medical Center’s duties with respect to PHI.

POLICY:

Harbor-UCLA Medical Center shall ensure an accurate Notice of Privacy Practices is made available to each patient, at the time and in the manner specified by the HIPAA Privacy Regulations. The Notice shall adequately describe the uses and disclosures of PHI that may be made by Harbor-UCLA Medical Center, as well as the patients’ rights and Harbor-UCLA Medical Center’s legal duties with respect to PHI.

All Harbor-UCLA Medical Center employees who are involved in direct patient care or who have access to PHI are required to read and understand the Notice of Privacy Practices.

An inmate does not have the right to receive the Notice of Privacy Practices.

DEFINITIONS:

Authorization means the signed Authorization used by Harbor-UCLA Medical Center to obtain a patient’s permission prior to using or disclosing that patient’s PHI for purposes that do not fall within the definitions of treatment, payment or health care operations and other purposes that do not require the patient’s permission.

Protected Health Information (PHI) means individually identifiable information relating to past, present or future physical or mental health or condition of a patient, provision of health care to a patient, or the past, present or future payment for health care provided to a patient.

PROCEDURE:

- A. The Notice will be distributed or otherwise made available as follows:
 - 1. The Notice shall be offered to the patient no later than the date of the first service

EFFECTIVE DATE: 04/14/03

SUPERSEDES:

REVISED:

REVIEWED: 12/08, 05/14, 07/17

REVIEWED COMMITTEE: N/A

APPROVED BY: _____

Kim McKenzie, RN, MSN, CPHQ
Chief Executive Officer

Anish Mahajan, MD
Chief Medical Officer

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

Signature(s) on File.

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- delivery, including service delivered electronically, to such patient on or after April 14, 2003.
2. The Notice shall be made available to any person upon request at the service delivery sites of the facility, and Medical Records Information, PCDC, Room 101.
 3. The Notice shall be prominently posted in areas in Harbor-UCLA Medical Center where patients seeking service from Harbor-UCLA Medical Center are likely to be able to read the Notice.
 4. Automatically for electronic Notices, when the response is to the patients' first request for service and the first service delivery is delivered electronically. The patient who is the recipient of electronic Notice must also be permitted to retain the right to obtain a paper copy of the notice from Harbor-UCLA Medical Center upon request.
 5. The Notice shall be prominently posted on the DHS website and the Notice shall be available electronically through the website.
 6. Harbor-UCLA Medical Center may provide the Notice to patients by e-mail.
- B. Harbor-UCLA Medical Center will make a good faith effort to obtain a signed Acknowledgement of Receipt form from each patient when the Notice was accepted by the patient or their legal representative. If a patient receives the Notice electronically, the patient will be requested to acknowledge receipt of the Notice by return e-mail. If the patient either refuses or is unable to sign, Harbor-UCLA Medical Center will document its good faith efforts and the reason for failure to obtain the patient's acknowledgement on the Inability to Obtain Acknowledgement section of the Acknowledgement of Receipt form. The Acknowledgement of Receipt form will be included as part of the patient's designated record set.
- C. Harbor-UCLA Medical Center's Notice, whether sole or joint, is only valid for Harbor-UCLA Medical Center. If other notices and/or acknowledgements of receipts are included in a patient's record, Harbor-UCLA Medical Center will still provide its own Notice and make a good faith effort to obtain a separate Acknowledgement of Receipt.
- D. Harbor-UCLA Medical Center will promptly revise its *Notice* whenever there is a material change to the uses or disclosures of PHI, patients' rights, or the legal duties of DHS with respect to privacy of PHI or its privacy practices. The revised Notice shall be posted and made available in accordance with paragraphs 1(b) and 1(c) above. A new written Acknowledgement of Receipt is not required for providing a revised Notice. The Chief Information Privacy Officer and the DHS Privacy Officer are responsible for determining whether a change in uses or disclosures, patients' rights, Harbor-UCLA Medical Center's legal duties or privacy practices is "material."
1. Harbor-UCLA Medical Center will only use a joint notice when both it and the other covered entities participating in the organized health care arrangement agree to abide by the terms of the notice with respect to Protected Health Information created or received by Harbor-UCLA Medical Center as part of its participation in the organized health care arrangement. All joint Notices will:
 2. Contain all of the specifications required of a single-entity notice and, if applicable, state that the covered entities participating in the organized health care arrangement will share

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Protected Health Information with each other, as necessary to carry out treatment, payment, or health care operations relating to the organized health care arrangement;

3. Be provided to patients within the same requirements as a single-entity notice.

- E. Harbor-UCLA Medical Center will document compliance with and maintain the Notice, or Joint Notice as applicable, by retaining copies of the Notices issued by Harbor-UCLA Medical Center for a period of at least six (6) years from the date of its creation or the date when it last was in effect, whichever is later.

REFERENCES:

1. 45 Code of Federal Regulations: Parts 160 and 164; Section 164.520 – Notice of Privacy Practices
2. 45 Code of Federal Regulations: Parts 160 and 164, Section 164.502(i) – Uses and disclosures consistent with notice.