

LOS ANGELES GENERAL MEDICAL CENTER POLICY

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| Subject: PRIVACY PRACTICES JOINT NOTICE DISTRIBUTION | Original Issue Date: 4/14/03 | Policy # 216.1 |
| | Supersedes: 2/7/17 | Effective Date: 9/21/23 |
| Policy Owner(s): Director, Health Information Management Executive Sponsor(s): Chief Operations Officer | | |
| Departments Consulted: Privacy Council Patient Access Center Nursing Services and Education Health Information Management | Reviewed & approved by: Attending Staff Association Executive Committee Senior Executive Officer | Approved by: Chief Operations Officer |
| | | Chief Executive Officer |

PURPOSE

To establish the process for providing Los Angeles General Medical Center patients with the *Joint Notice of Privacy Practices* regarding the use and disclosure of their protected health information (PHI), as well as the patients' rights and the Medical Center's duties with respect to PHI.

POLICY

The Medical Center will make available a current *Joint Notice of Privacy Practices (Privacy Notice)* to each of its patients in accordance with the Department of Health Services policy and HIPAA Privacy Standards. The *Privacy Notice* shall adequately describe the uses and disclosures of PHI that may be made by the Medical Center, as well as the patient's rights and the Medical Center's legal duties with respect to PHI.

Exception: An inmate does not have the right to receive the *Privacy Notice*.

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

DEFINITIONS

Protected Health Information (PHI)

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

- The *Privacy Notice* shall be prominently posted in designated areas throughout all Medical Center facilities where individuals seeking service from the Medical Center are likely to be able to read it.
- The *Privacy Notice* shall be made available to any person upon request.
- The Medical Center may provide the *Privacy Notice* to patients by electronic mail. If a patient receives the *Privacy Notice* electronically, the patient shall be requested to acknowledge

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receipt of the *Privacy Notice* by return e-mail. The patient who is the recipient of an electronic *Privacy Notice* must also be permitted to retain the right to obtain a paper copy of the *Privacy Notice* from the Medical Center upon request.

Patient Access Center/Comprehensive Health Center Registration Clerk

Patient Access Center (PAC):

- Offer the *Privacy Notice* to each patient no later than the date of the first service delivery within the Medical Center.
- Obtain the patient or his or her legal representative's signature of acceptance on the *Acknowledgement of Receipt of the Joint Notice of Privacy Practices* form.
 - If the patient either refuses or is unable to sign, PAC shall document on the Inability to Obtain Acknowledgement section of the form that a good faith effort was made and the reason for failure to obtain the patient's acknowledgement of receipt.
- All Joint Notice Privacy Practice Acknowledgement forms shall be electronically signed and documented in the electronic health record, ORCHID.
- Include the completed Acknowledgement form as part of the patient's designated record set by filing it behind the Consent tab of the health/medical record.
- Flag the health/medical record of patients who do not receive the notice upon registration. Under such circumstances wherein the patient is unable to receive the notice due to emergent medical/psychiatric condition or a comatose state, nursing shall be responsible for following up on the provision of the *Privacy Notice*.
- Refer patients with questions related to the *Privacy Notice* to the HIPAA Compliance Office.

Nursing Staff

Nursing staff will:

- Offer the *Privacy Notice* to the patient within 24 hours after that patient recovers from an emergent or comatose condition.
- Provide PAC/CHC Registration Clerk with information on patient's receipt of the *Privacy Notice* for entry into the Affinity system.
- Refer patients with questions related to the *Privacy Notice* to the HIPAA Compliance Office.

Health Information Management

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Health Information Management shall ensure filing of *Acknowledgement of Receipt of the Joint Notice of Privacy Practices* in the patient's health/medical record.

RESPONSIBILITY

Patient Access Center
 CHC Registration Clerk
 Nursing Staff
 Health Information Management
 HIPAA Compliance Officer

REFERENCES

45 Code of Federal Regulations: Parts 160 and 164; Section 164.520, Notice of privacy practices for protected health information and Section 164.502(i), Uses and disclosures consistent with notice
 DHS Policy No. 361.2, Notice of Privacy Practices

REVISION DATES

April 20, 2007; December 10, 2013; February 7, 2017; September 21, 2023