



Office of Regulatory Compliance

HIPAA Policy 2.1

Title:	Notice of Privacy Practices Policy
Source:	Office of Regulatory Compliance
Prepared by:	Assistant Vice Chancellor for Regulatory Affairs
Approved by:	Vice Chancellor for Research
Effective Date:	July 1, 2013
Replaces:	02/26/03
Applies:	All UCD campuses

Introduction

Purpose

UCD must provide individuals with adequate notice of the uses and disclosures of their protected health information, their rights under HIPAA, and the UCD's legal duties with respect to PHI.

This policy outlines when the UCD Notice of Privacy Practices document must be given to patients and human subjects.

Reference

45 C.F.R. § 164.520

Applicability

This policy applies to all members of the UCD workforce.

Policy

UCD must provide its Notice of Privacy Practices to all individuals who are patients, human subjects, or enrollees in a group health plan of the UCD. Inmates may be given the Notice of Privacy Practices document but the UCD has no requirement under HIPAA to provide inmates with this document.

Procedures

Group Health Plans

UCD group health plans must provide the appropriate Notice of Privacy Practices to individuals enrolled in the group health plans.

- a. No later than the compliance date for the plan to individuals then covered by the plan;
- b. To new enrollees at the time of enrollment; and
- c. Within 60 days of a material revision to the notice to all individuals then covered by the plan; and
- d. Upon request.
- e. Additionally, at least once every three years, the plan must notify individuals covered by the plan of the availability of the notice and how to obtain a copy.

Health Care Providers

1. A UCD health care provider who has a direct treatment relationship with an individual must provide the appropriate notice no later than the date of the first occurrence of any form of service delivery including service delivered electronically, to the individual after April 14, 2003.

- a. If the first service delivery occurs during an emergency treatment situation then the notice should be delivered as soon as practicable after the treatment.
- b. If the first service delivery occurs electronically, the provider must provide electronic notice automatically and contemporaneously in response to the individual's first request for service.

2. Except in emergency treatment situations, the health care provider with a direct treatment relationship must make a good faith effort to obtain a written acknowledgement of receipt of notice from the individual. If the individual will not acknowledge receipt of the notice or will not accept the notice, the health care provider must document his or her good faith efforts to obtain acknowledgement and the reason why the patient would not acknowledge receipt of the notice or would not accept the notice.

3. If the health care provider maintains a physical service delivery site, the provider must:

- a. Have the notice available at the site for individuals to request to take with them; and,
- b. Post the notice in a clear and prominent location.

Electronic Notice

1. A UCD health plan or health care provider that maintains a web site that provides information about patient or human subject services or benefits must prominently post the Notice of Privacy Practices on its web site and make the notice available electronically through the web site.

2. A UCD health plan or health care provider may provide the Notice of Privacy Practices to an individual by e-mail if the individual has agreed to electronic notice and has not withdrawn his or her agreement.

a. If the e-mail transmission fails and the failure is known to the plan or provider then a paper copy of the notice must be provided to the individual

b. The individual who is the recipient of electronic notice retains the right to obtain a paper copy of the notice upon request.