



521 4<sup>th</sup> Street Havre Montana 59501 • Phone: 406-395-4305 • Fax: 406-395-5643 • [www.bullhook.com](http://www.bullhook.com)

## Notice of Privacy Practices Policy

## Policy 5016

**Purpose:** The purpose of this policy is to describe what a Notice of Privacy Practices (NPP) is, and what it should contain. Providing a patient with a NPP is a requirement of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Regulation. The NPP should be prominently posted in the patient waiting or reception area and, if clinic or office hosts a website, the NPP must also be prominently posted and made available electronically on the website.

**Scope:** The scope of this policy is Bullhook Community Health Center

**Policy:** It is the policy of the clinic to provide a patient with a NPP on their first visit to the clinic or first contact with the clinic. The NPP will describe how the clinic will use and disclose Protected Health Information (PHI). The NPP will also describe the patient's rights, and how to make a complaint if the patient believes that their privacy rights have been violated. If the first contact with the clinic is made electronically or by phone, the clinic will mail the NPP to the patient or their legal representative and document as such in EHR.

### NPP Requirements

The HIPAA Privacy Regulation describes the NPP requirements.

The NPP must be written in easy to understand language. The NPP must include a statement indicating that most uses and disclosures of psychotherapy notes (if applicable), uses and disclosures of PHI for marketing purposes, and disclosures that constitute a sale of PHI require authorization from the patient. The NPP needs to state that all other uses and disclosures not described in the NPP will be made only with authorization from the individual/patient. The NPP also must describe the patient's rights regarding their PHI, and to whom they may complain if they have concerns about the privacy of their information.

The effective date of the NPP must be included in the notice.

The NPP must inform patients that they have a right to opt out of receiving fundraising communications (If the clinic intends to participate in fundraising activities with PHI).

The NPP must inform patients that they have a right to require that the clinic or provider not submit PHI to the patient's health plan if the patient has paid out-of-pocket and in full for the service or treatment.

NPP informs individuals that the clinic has a duty to notify affected individuals following a breach of unsecured PHI.



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The NPP must be formatted as shown in Attachment A including the capitalizations of certain statements and it must contain the information from the clinic regarding the uses and disclosures of PHI that the clinic uses, as well as examples of those uses.

A copy of the NPP must be prominently posted in the clinic in an area visible to the patients. The NPP must also be placed on the clinic’s Web page.

**Acknowledgement of Receipt of NPP**

A signed acknowledgement of receipt of the NPP should be obtained from the patient or the patient’s legal representative. The acknowledgement and the NPP should be kept with the patient’s records for a minimum of 6 years. If the first interaction with patient was electronic (via telephone or email) the NPP should be mailed to the individual and the patient’s record should be documented as such.

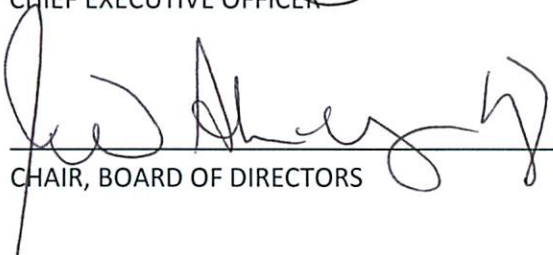
**Changes to the NPP**

If material changes to the NPP are made, copies of the new NPP will need to be distributed to the clinic’s patients. The new document will need to be posted in the clinic, and made available on clinic’s website if applicable.

**References:**

- 1. HIPAA Privacy Regulation 45 CFR

  
 \_\_\_\_\_ Date: 8-21-15  
 CHIEF EXECUTIVE OFFICER

  
 \_\_\_\_\_ Date: 8/10/15  
 CHAIR, BOARD OF DIRECTORS

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