

SECTION: HP2

SUBJECT: HIPAA Privacy

TOPIC: Notice of Privacy Practices

POLICY

- Ontario ARC publishes a Notice of Privacy Practices.
- The Notice and any revisions to it must be provided to all individuals at the earliest practical time.
- All uses and disclosures of protected health information (PHI) must be done in accordance with agency's Notice of Privacy Practices.

We will attempt to gain written acknowledgement of the receipt of the Notice from all individuals to whom we provide the Notice. If written acknowledgement is not provided, agency will document attempts to gain such acknowledgement.

VALUES

Integrity, Respect

Responsibilities:

Privacy Officer

1. Maintains the Notice and updates it when changes occur.
2. Maintains all versions of the Notice in the agency's HIPAA Compliance file.
3. Posts the Notice in the general program areas, administrative office, and residences. Assures the Notice is posted on agency's website.
4. Makes the Notice available in other languages, if appropriate.
5. When the Notice changes, posts the most current Notice. Also posts a sign that indicates that the Notice has been modified and how individuals may receive a copy of the new notice.
6. Provides notification to all programs of any changes to the Notice.

Intake Coordinator (new referrals-only), Habilitation Coordinator, SEMP Manager or Job Exploration Training (JET) Coordinator

1. Assures that the Notice is provided to all individuals who have not previously been given the Notice.
2. Assures individuals and/or personal representatives (involved family, guardian) are advised to read the Notice and sign the acknowledgement. Assures that assistance is provided to individuals as needed in reading and/or understanding the notice.
3. Provides each individual receiving the Notice with Organization's Acknowledgement of Receipt of Notice of Privacy Practices. (Acknowledgement is a separate page from the Notice.)
4. Documents the efforts to explain the Notice and subsequent failure to obtain a signature on the Acknowledgement Form. Attempts will include a follow up letter and 1 (one) phone call.

5. Forwards all requests for special privacy protections, alternate confidential communication channels, amendments to PHI, disclosure accounting, or access to or copying of PHI, and complaints to the Privacy Officer. Communicates all requests described above in writing to the Privacy Officer.
6. Enters the Privacy Notice signature date in the Core database.
7. Assures that the individual's signed acknowledgement is scanned and saved in the Therap Document warehouse, saved by: Last Name, First Name
8. Delete- filed in the individual's Single Personal Record, Section 2.
9. When the Notice changes, assures a copy of revised Notice is provided to individuals and/or personal representative (involved family, guardian, advocate, etc.) at the next treatment/service plan review or service encounter, whichever comes first.
10. If the individual refuses to sign the acknowledgement, an offer to contact the Privacy Officer will be made. (Treatment/services will not be withheld upon refusal to sign the acknowledgement.)

Privacy Officer

1. Answers individual's questions or concerns.

Appendix: Acknowledgement of Receipt of Notice Form

HIPAA Regulation: § 164.520

DATE: 9/20/2013

REVIEW/REVISION: 6/24/2019, 11/10/2021

Acknowledgement of Receipt of Notice

**Ontario ARC
3071 County Complex Drive
Canandaigua NY 14424**

Privacy Officer: Mary Peck (585) 919-2120

I hereby acknowledge that I have received a copy of Ontario ARC's Notice of Privacy Practices.

Yes No (circle one) I would like to receive a copy of any amended Notice of Privacy Practices at: _____

Signed: _____ Date: _____

Print Name: _____ Telephone: _____

If not signed by the individual, please indicate relationship:

- Parent or guardian of individual
- Health Care Proxy or Agent
- Beneficiary or personal representative of deceased individual
- Other

Name of Individual: _____

For Office Use Only:

Signed form received by: _____

Acknowledgment refused:

Efforts to obtain:

Reasons for refusal:

