# HIPPA – NOTICE OF PRIVACY PRACTICES

## PURPOSE

To ensure compliance with applicable law regarding the creation, maintenance and distribution of St. Vincent Notice of Privacy Practices.

## POLICY

It is the policy of St. Vincent to create, maintain and distribute in accordance with applicable law a Notice of Privacy Practices.

## PROCEDURE

Right to Notice: St. Vincent shall provide all individuals with adequate notice of the uses and disclosures of their protected health information St. Vincent shall inform individuals of their rights and 'S legal duties with respect to protected health information.

Uses and Disclosures in Conformity With the Notice: St. Vincent shall not use or disclose protected health information in a manner inconsistent with its Notice of Privacy Practices. St. Vincent shall not use or disclose protected health information for any activities that are required to be included as a specific statement in its Notice unless the required statement is included in the Notice.

Revisions to the Notice: St. Vincent shall promptly revise and distribute its Notice whenever there is a material change to uses or disclosures, individual's rights, St. Vincent's legal duties, or other privacy practices stated in the Notice. Except when required by law, a material change to any term of the Notice may not be implemented prior to the effective date of the Notice in which such material change is reflected.

**Provision of Notice.**

St. Vincent shall:

- Provide the Notice no later than the date of the first service delivery, including service delivered electronically, to any individual after the first effective date of this policy;
- In an emergency treatment situation, St. Vincent shall provide the Notice as soon as reasonably practicable after the emergency treatment situation;
- Except in an emergency treatment situation, St. Vincent shall make a good faith effort to obtain from the patient written acknowledgment of receipt of the Notice, and if not obtained, St. Vincent shall document its good faith efforts to obtain such acknowledgment and the reason why the acknowledgment was not obtained;
- Make the Notice available at all offices and other health delivery sites to individuals to request to take with them;
- Post the Notice in a clear and prominent location so that individuals seeking service are able to read the Notice; and
- Make revised Notices available upon request on or after the effective date of the revision.

Specific Requirements for Electronic Notice:

- St. Vincent shall prominently post the Notice on its web site in a printable version, and make the Notice available electronically through the web site.
- St. Vincent may provide the Notice to an individual by e-mail, if the individual agrees to electronic notice and such agreement has not been withdrawn. If St. Vincent knows that the e-mail transmission has failed, a paper copy of the Notice must be provided to the individual. Provision of electronic notice by St. Vincent will satisfy the provision requirements herein when timely made.
- If the first service delivery to an individual is delivered electronically, St. Vincent shall provide an electronic notice automatically and contemporaneously in response to the individual's first request for service.
- Individuals that receive an electronic notice also have the right to obtain a paper copy of the Notice upon request

Joint Notice by Separate Covered Entities: If St. Vincent participates in organized health care arrangements with other covered entities, it may comply by a Joint Notice, provided that:

- The 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 St. Vincent as part of its participation in the organized health care arrangement;
- The Joint Notice meets the content of notice requirements, and reflects the fact that the Notice covers more than one St. Vincent;
- The Notice describes with reasonable specificity the covered entities, or class of entities, to which the Joint Notice applies;
- The Notice describes with reasonable specificity the service delivery sites, or classes of service delivery sites, to which the Joint Notice applies; and
- State that the covered entities participating in the organized health care arrangement will share protected health information with each other, as necessary to carry out treatment, payment, or health care operations relating to the organized health care arrangement.
- The covered entities included in the Joint Notice must provide the Notice to individuals in accordance with the applicable provision of Notice specifications in this policy. Provision of the Joint Notice to an individual by any one of the covered entities included in the Joint Notice will satisfy the provision requirement herein with respect to all others covered by the Joint Notice.

Documentation:

- St. Vincent shall retain copies of the Notice, and if applicable, any written acknowledgments of receipt of the Notice or documentation of good faith efforts to obtain such written acknowledgments, for at least six (6) years from the date the Notice or documentation was created or last in effect.

## REFERENCES

45 CFR §§ 164.502(i) and 164.520