

UNIVERSITY OF WYOMING

HIPAA POLICY 4.1

NOTICE OF PRIVACY PRACTICES POLICY

- I. **PURPOSE:** HIPAA requires each patient be provided a Notice of Privacy Practices (“NPP”) in order to inform the patient of how the UW Covered Component will use and disclose the patient’s PHI, the patient’s rights and responsibilities with respect to his/her PHI, and the UW Covered Component’s duties with respect to a patient’s PHI. This policy describes how UW Covered Components who provide direct patient care will provide its NPP to its patients and who to contact with questions about the NPP.

- II. **CONTENTS OF NOTICE OF PRIVACY PRACTICES:** The Notice of Privacy Practices must contain all required elements required by HIPAA.
 - a. **Form:** The UW Covered Component may use the Health and Human Services (“HSS”) model NPP or one individually tailored to the UW Covered Component so long as it contains all elements required by law and is approved by the UW Office of General Counsel. Such form shall not be amended or changed without prior approval by the Office of General Counsel.
 - b. **Revisions:** A UW Covered Component shall promptly revise and distribute its NPP whenever there is a material change to the uses or disclosures, the individual’s rights, the UW Covered Component’s legal duties or the other privacy practices as stated in the Notice.
 - i. **Effective Date:** Except when required by law, a material change to any term of the NPP may not be implemented prior to the effective date of the NPP in which the change is reflected.
 - ii. **Distribution:** Whenever the NPP is revised, the revised NPP must be available to patients upon request on or after the effective date of the revision and must post the NPP on the UW Covered Component’s website and in a clear and prominent location at the UW Covered Component site.

- III. **PROCEDURE:** Each patient that receives healthcare at the UW Covered Component will receive and will acknowledge receipt of the NPP.
 - a. **Check-in/Registration:** During the check-in/registration process, all patients are to be given the UW Covered Component’s NPP and the acknowledgement form for their review and signature unless there is documentation of a previous receipt and signed acknowledgment in the medical record.
 - i. **Signature not Required:** A lack or refusal of the patient to sign the acknowledgment and/or any consent forms shall not affect the UW Covered Component’s willingness to treat the patient or the quality and nature of the patient’s care.
 - ii. **Acknowledgement:** If the patient does sign acknowledging receipt of the NPP, a copy should be kept in the patient’s medical record. If the patient refuses or is unable to sign the acknowledgement, the staff member shall document the

patient's refusal to sign the form along with any efforts that were made to obtain the patient's acknowledgment of the form.

- b. **Emergency Situations:** A UW Covered Component shall deliver the NPP as soon as practicable after the emergency treatment.

IV. POSTING AND NOTICE OF NPP: A UW Covered Component must meet the following posting and/or notice requirements:

- a. **At Physical Site:** The UW Covered Component shall have the NPP available at its site for individuals to take with them and post the notice in a clear and prominent location for individuals to be able to read.
- b. **Website:** The UW Covered Component shall prominently post the NPP on the UW Covered Component's website and make it electronically available through the website.
- c. **Email:** The UW Covered Component may provide the NPP to an individual by email if the individual has agreed to electronic notice and has not withdrawn his or her agreement.
 - i. Any individual who is the recipient of electronic notice retains the right to obtain a paper copy of the notice upon request.
 - ii. If the email transmission fails and the failure is known to the UW Covered Component then a paper copy of the notice must be provided to the individual.
 - iii. If the initial delivery of health care services occurs electronically, the NPP must automatically provide electronic NPP to the patient.

V. QUESTIONS: Any questions regarding the NPP shall be directed to the UW Covered Component's Privacy Officer who shall be identified in the UW Covered Component's NPP.

VI. DOCUMENTATION: All documentation related to the receipt and acknowledgement of the NPP will be maintained for a minimum of six (6) years or as required by state or federal law or UW Regulations, whichever is later.

VII. REFERENCES/APPLICABLE LAW:

- a. 45 C.F.R. Section 164.520

Revised August 2015