

BHcare, Inc.

SUBJECT: NOTICE OF PRIVACY PRACTICES AND ACKNOWLEDGEMENT Policy #322

POLICY: As required by law, BHcare shall provide a notice of privacy practices to persons served and/or their personal representatives that describes the uses and disclosures of their protected health information for as long as the information is maintained by BHcare. A signed acknowledgement of receipt of this information will be obtained from each client. BHcare will not knowingly or intentionally use or disclose protected health information in a manner inconsistent with statements made in the notice.

PURPOSE: To ensure the client's right to adequate notice of the uses and disclosures of his/her identifiable health information in compliance with federal and state laws.

PROCEDURES:

1. Provision of the Notice

- a. The BHcare Privacy Officer shall approve a Notice of Privacy Practices acceptable under Connecticut and federal law to be provided to all individuals who apply for services prior to the time of first service delivery or upon request of an individual.
- b. Except in an emergency situation, the individual or legal guardian will be asked to sign and date a Consent and Acknowledgement form to acknowledge receipt of the Notice of Privacy Practices. The signed form will become part of the client's permanent record.
- c. If no consent and acknowledgement can be obtained, BHcare must document its efforts and note the reasons why acknowledgement and consent were not obtained on the Consent and Acknowledgement form.
- d. In emergency treatment situations, the Consent and Acknowledgement form shall be signed by the individual as soon as reasonably practical.

2. Posting of Notice

- a. A current Notice of Privacy Practices will be posted in clear and prominent locations at all BHcare facilities and copies of the Notice will be available for individuals to take with them.
- b. A current Notice of Privacy Practices will be posted on the BHcare website and made available electronically.

3. Right of Receipt of Copy of Notice and Replacement Copies

- a. Individuals may request the Notice of Privacy Practices in electronic (e-mail) format.
- b. Individuals may request a replacement paper copy of the current notice.

4. Changes to the Notice

- a. BHcare will promptly revise and distribute a new Notice of Privacy Practices whenever there is a material change to the uses or disclosures, the individual's rights, BHcare's duties, or other privacy practices stated in the notice. A material change to any term of the notice may not be implemented before the revised notice becomes effective.

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- b. It is the responsibility of the Privacy Officer to ensure the compliance of BHcare with HIPAA. The Privacy Officer will determine when revisions to the policy and procedures will be necessary and will facilitate the timely revision and distribution of all policies, procedures, forms, notices and other related documents to ensure compliance.

Health Insurance Portability and Accountability Act (HIPAA) of 1996
American Recovery and Reinvestment Act of 2009
Health Information Technology for Economic and Clinical Health Act (HITECH)
CARF Section 1E – Legal Requirements