

NFI North HIPAA Documents

Policy and Procedure Statement

NFI North maintains comprehensive policy and procedures designed to insure the organization is in full compliance with the Health Insurance Portability and Accountability Act (HIPAA). The policy and procedure statements below are designed to assist you in your role as an Agency Manager in implementing NFI North's HIPAA practices. After reviewing this document please feel free to direct any questions you may have to your supervisor, or you may contact NFI North's HIPAA Privacy Officer, Patricia Claflin at our corporate offices in Contoocook.

Notice of Privacy Practices

This document is designed to explain NFI North's privacy practices when handling Personal Health Information (PHI). You should be sure to familiarize yourself with the material so that you can serve as a resource for answering any questions that may arise. As a manager you should be sure that each consumer and or their authorized representative (guardian) receives a copy of this document. This statement should be shared with the consumer and or their authorized representative as a part of the intake process.

Disclosure Notice

This form documents that the Notice of Privacy Practices has been shared with the consumer and or their authorized representative. It is intended to be executed by the consumer when they are their own guardian, or along with the guardian or authorized representative when the service is a Maine program and the child is 13 years or older. When the consumer is not their own guardian the form is to be completed by their guardian, or authorized representative.

The Disclosure Notice also has a section for the consumer, when he or she is her own guardian, or for the authorized representative to indicate whom they would like to share health care information with. You will note that they also have the opportunity to indicate exactly what health care information they would like to share with this family or household member.

Once you have reviewed the Notice of Privacy Practices with the consumer and or authorized representative you should have this form filled out and signed by the appropriate individuals. You will note that the bottom of the form has a statement indicating that the document is not to be copied. This simply means that you should not

copy the document once it has been signed, always working from the document that contains the original signatures.

If you are operating a service where the guardian, or authorized representative is not on site, or is not present at the time of intake both the Notice of Privacy Practices and the Disclosure Notice should be mailed out requesting that the Disclosure Notice be signed and returned. In order to help with follow through it is best to enclose a self addressed stamped envelope with the mailing.

Authorization for Disclosure of Records

This form is the one that is used to release or disclosure records. You will notice as you read the document that the new HIPAA regulation now require that we release, upon written authorization not only the Protected Health Information (PHI) we generate, but any PHI that we may have in our possession, even if it was created by another organization. While this is different from our previous practices it makes a great deal of sense when you consider that one of the key elements of the new HIPAA regulations is to insure the portability of the consumers health records.

The document is quite self-explanatory. The form itself should only be used as needed. Do not simply generate a number of executed copies without a specific request. You do not have to be concerned with completing this form at intake, though you should familiarize yourself with it for future use.

Disclosure Log

The Disclosure Log is designed to document the release or disclosure of any PHI that is not covered under an authorization for disclosure. You use this form for example if you had contact with an ambulance company to have a consumer transported to the hospital and as a result disclosed some PHI (name of the consumer, their Medicaid number, mental status etc.). This also applies to our business associates as well. For example the Disclosure Log should be completed if our consulting psychiatrist is on site and making calls to arrange for hospitalization.

The document itself should be stored in a loose-leaf three ring binder in a secure or private office that is readily accessible to staff, but not consumers. Once each log is filled it should be removed and filed away in a central file. It should not be filed in the consumer's records, as it will likely contain a number of different consumer's names.

Consent to Use Health Care Information

This is an important form and one that should be completed at the point of intake. You will note that there are blanks on the forms that are to be used to indicate the names of the individual, or their authorized representative. The name in the first blank should be the name of the legal guardian. If the legal guardian is the same as the consumer then their name would appear in all four blanks. If the legal guardian is someone other than the

consumer then the legal guardian or authorized representatives name would appear in the first blank and the consumers name would appear in the next three blanks. In Maine, for children over 13 years of age, but not yet at the age of majority, it is expected that the consumer will sign along with their authorized representative.

If you are operating a service where the guardian, or authorized representative is not on site, or is not present at the time of intake the Consent to Use Health Care Information should be mailed out (along with the Notice of Privacy Practices and the Disclosure Notice) to be signed and returned. As indicated above in order to help with follow through it is best to enclose a self addressed stamped envelope with the mailing.