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SUBJECT: Notice of Privacy Practices

HIPAA CITES: 45 C.F.R. § 164.520

DEPARTMENT: EAU CLAIRE COUNTY DEPARTMENT OF HUMAN SERVICES

POLICY NUMBER:

I. POLICY:

A. General Rule. Eau Claire County Department of Human Services (hereinafter referred to as **ECCDHS**) recognizes a patient's right to receive adequate notice of the uses and disclosures of Protected Health Information that may be made by **ECCDHS**, and of the patient's rights and **ECCDHS**'s legal duties with respect to Protected Health Information.

B. Content of Notice. **ECCDHS** provides each patient with a notice of **ECCDHS**'s privacy practices that is written in plain language and that contains the elements required by HIPAA. The current version of **ECCDHS**'s Notice of Privacy Practices (the "Notice") is located with the Privacy Officer.

C. Acknowledgment of Receipt. **ECCDHS** uses good faith effort to obtain a written acknowledgment by the patient of receipt of the Notice. If **ECCDHS** obtains written acknowledgment of receipt, **ECCDHS** maintains documentation of the acknowledgment for the documentation period specified below. If despite good faith efforts, **ECCDHS** is unable to obtain a written acknowledgment of receipt, then **ECCDHS** will document its efforts and the reason(s) why the written acknowledgment of receipt could not be obtained.

D. Revisions to the Notice. **ECCDHS** shall promptly revise and distribute its Notice whenever there is a material change to the uses or disclosures, the individual's rights, **ECCDHS**'s legal duties, or other privacy practices stated in the Notice. If the Notice permits **ECCDHS** to make changes to its terms at any time, a material change to the Notice may be implemented at any time. If the Notice does not permit such changes at any time, a material change to the Notice shall not be implemented prior to the effective date of the Notice in which such material change is reflected.

E. Provision of Notice

1. **ECCDHS** makes its Notice of Privacy Practices available upon request to any person.
2. **ECCDHS** provides the Notice electronically or in person no later than the date of the first service delivery after April 13, 2003, including service delivered electronically
3. **ECCDHS** makes the Notice available at its offices for individuals to take with them upon request.
4. **ECCDHS** posts the Notice in a clear and prominent location where it is reasonable to expect individuals seeking service from **ECCDHS** to be able to read the Notice.

F. Electronic Notice.

1. **ECCDHS** prominently posts its Notice on its web site and makes the Notice available electronically through the web site.
2. **ECCDHS** provides the Notice to a patient by e-mail, if the patient agrees to electronic notice and such agreement has not been withdrawn. **ECCDHS** retains confirmation of the transmission of the e-mail. If **ECCDHS** knows that the e-mail transmission has failed, a paper copy of the Notice shall be provided to the patient.
3. If the first service delivery to a patient is delivered electronically, **ECCDHS** must provide electronic notice automatically and contemporaneously in response to the patient's first request for service.
4. The patient who is the recipient of electronic notice may obtain a paper copy of the Notice from **ECCDHS** upon request.

G. Documentation. **ECCDHS** documents compliance with the Notice requirements by retaining copies of the Notices it issues for a period of six (6) years from the date of their creation, or the date when such Notice last was in effect, whichever is later.