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|  | <b>PCHP HIPAA Privacy and Confidentiality<br/>Piedmont Community Health Plan</b> |   |
|   | <b>Name:</b>   | PCHP.PV.104 Notice of Privacy Practices |
|   | <b>ID Number:</b>  | PCHP.PV.104                             |
|   | <b>Start Date:</b>   | 02/01/2016                              |
|   | <b>Approval Date:</b>  | 07/15/2016                              |
|   | <b>Review Date:</b>  | 07/15/2017                              |
|   | <b>Approved By:</b>  | Garland Morton/CentraNotes              |

## Body

**Policy Name:** Notice of Privacy Practices

**Scope:** Entire Piedmont workforce

**Purpose:** To ensure that a Notice of Privacy Practices is provided to each enrollee of a Piedmont Health Plan as required with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the HIPAA Final Rule, and the Health Information Technology for Economic and Clinical Health Act (HITECH) and applicable federal and state laws and regulations.

### Definitions & Acronyms:

CMS: Centers for Medicare & Medicaid  
 CFR: Code of Federal Regulations  
 PBM: Pharmacy Benefit Manager  
 HIPAA: Health Insurance Portability and Accountability Act of 1996  
 HITECH: Health Information Technology for Economic and Clinical Health Act  
 PHI: Protected Health Information

**Piedmont:** "Piedmont" collectively refers to Piedmont Community Health Plan (PCHP), Piedmont Community HealthCare (PCHC) and any future entities that are owned, affiliated with and/or operated by Piedmont.

### Policy:

1. Piedmont must give its Notice of Privacy Practices (NPP) to each new enrollee at enrollment. The notice can be given to the "Named insured", and Piedmont is not required to give separate notices to any covered spouses and dependents.
2. After a member is enrolled, Piedmont must send a notification annually to every member that the NPP is available on our website and upon request.
3. Piedmont must give a copy of the NPP to anyone who asks for one.
4. Piedmont must post its NPP in an obvious spot on its website.
5. Whenever material changes have been made to the Notice, Piedmont must:
  - A. Immediately post the new NPP on its website noting that the Notice has changed, and how to obtain a paper copy of revised notice; and
  - B. Provide the revised NPP, or information about the material change and how to obtain the revised notice, in its next annual mailing to individuals covered in the plan; or
  - C. Assure that every member covered by the plan will receive the revised notice within 60 days of the material revision.

6. The Notice must contain and/or describe:
- A. A header that is prominently displayed that states, "THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY."
  - B. The ways that the Privacy Rule allows Piedmont to use and disclose PHI, and explain how Piedmont will get permission, or authorization, before using health records for any other reason;
  - C. Piedmont's duties to protect health information privacy;
  - D. The enrollee's privacy rights, including the right to complain to HHS and Piedmont if they believe their privacy rights have been violated;
  - E. How to contact Piedmont for more information; and
  - F. Effective date on which the notice is first in effect, which may not be earlier than the date on which the notice is printed or otherwise published.

**Procedures:**

1. Piedmont's Notice of Privacy Practices will be included with distribution of enrollee's member ID Card **upon enrollment.**
2. Piedmont will provide a copy of the written Notice to other persons upon request.
3. A current version of the Notice will be maintained on Piedmont's website, under the "Privacy Info" section.
4. Whenever the Notice is revised, Piedmont will:
  - A. Immediately post the new NPP on its website noting that the Notice has changed, and how to obtain a paper copy if requested; and
  - B. Provide the revised notice, or information about the material change and how to obtain the revised notice, in its next annual mailing to individuals covered in the plan; or
  - C. Assure that every member covered by the plan will receive the revised notice within 60 days of the material revision.
5. Material changes shall not be implemented prior to the effective date of the revised Notice.
6. **Members will be notified how to access a copy of the NPP annually through the member newsletters, which will provide a URL link directing members to Piedmont's website which will contain a PDF version of the Notice of Privacy Practices. The newsletter will also instruct the member that a hard copy of the NPP is available upon request.**
7. A copy of each Notice issued by Piedmont will be maintained for at least 6 years from the date it was last in effect.
8. Any member of the workforce who has knowledge of a violation or potential violation of this Policy must make a report directly to the Compliance Officer.

**Equipment:** None

**Forms and Letters:** None

**Reference(s):** 45 CFR § 164.520 (12/3/2002, Revised 4/3/2003, and Vol. 78, No. 17, 1/25/2013) – Notice of Privacy Practices for Protected Health Information  
**NCQA Standards for Accreditation (2016) – RR4**

**Interdisciplinary Review:** None

**Policy History:**

| Date | Revision No. | Reason for Change | Sections Affected |
|------|--------------|-------------------|-------------------|
|      |              |                   |                   |

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|------------|-----|---|-----|
| 04/14/2003 | NEW |   | All |
| 09/23/2013 | 1.0 | <ul style="list-style-type: none"> <li>Replaced actual Notice with Policy and Procedures in accordance with the Final Rule effective 9/23/13.</li> </ul>  | All |
| 02/01/2016 | 1.1 | <ul style="list-style-type: none"> <li>Converted to Centra Format</li> </ul>  |     |
| 07/13/2016 | 2.0 | <ul style="list-style-type: none"> <li>Reviewed for compliance with Phase 2 Audit Protocol</li> <li>Reviewed for compliance with NCQA standards 2016</li> <li>Added "annual" language to the policy and procedure for notification of how to access NPP.</li> </ul> |     |

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**Document Link Manager**

No Documents Linked No Documents Linked

**Attachment Manager**

No Attachments