

Documents, Policies, Forms and Letters To Be Developed

You will need the following documents and policies in place in order to be completely ready for the April 14 HIPAA Privacy deadline. The numbers correspond to where the policies and forms are found in Chapter 4 of the Agent 77 HIPAA*Now!* Workbook. The ** indicates that those forms are found in the NCPA HIPAA Compliance Handbook Chapter 4 (Heart of the Handbook). The NCPA Heart only includes the forms and does not have policy templates. Pharmacists should recognize the value of the information from both sources.

- **4.3.1 Notice of Privacy Practices –The *Notice of Privacy Practices Policy* indicates how you will distribute, modify, and retain copies of your NPP. The actual NPP describes how you will use protected health information in your practice.
- **4.3.2 Patient Access to Records – Develop policy that describes how patients can access records. Forms include the *Patient Records Access Request Form* and *Denial of Patient Request to Access Records*.
- **4.3.3 Patient Modification of Records – Policy to describe how patients can amend records. Forms include the *Patient Request to Amend Records Form* and the *Denial of Patient Request to Amend Records*.
- **4.3.4 History of Non-Routine Disclosures – Policy indicates how you will document non-routine disclosures and how patient requests for history of non-routine disclosures are handled. Forms needed include the *History of Non-Routine Disclosures Request Form* and *History of Non-Routine Disclosures Reports*. (Note – the NCPA Heart only includes the request form.)
- 4.3.5 Patient Grievance Process – *Patient Grievance Policy* indicates who is responsible for handling patient grievances and then the *Patient Grievance Procedure* provides staff information on how grievances are handled.
 - ** The NCPA Heart contains a *Complaint Concerning Pharmacy Duty with Respect to Protected Health Information Form*.
- 4.4.1 Protecting Patient Information – The *Patient Information Privacy Policy* indicates steps that staff must use to protect information.
 - ** The NCPA Heart includes a *Patient Request for Confidential Communication of Protected Health Information Form*. This form allows the patient to place restrictions on where you contact the patient. It is a good addition to the forms and this type of request should be included in the *Patient Information Privacy Policy*.
 - ** The NCPA Heart includes a *Patient Request for Restriction of Uses and Disclosures of Protected Health Information Form*. Once again, information about how the pharmacy handles requests such as this should be included in the *Patient Information Privacy Policy*.
- 4.4.2.1 Information Requests – The *Information Request Policy* indicates how you will handle information requests from the patient and from others.
 - ** The NCPA Heart includes form letters that the pharmacy can send to the patient indicating that it has accepted the request for access to or to modify information. This form letter could be modified to respond to other information requests.
 - ** The NCPA Heart includes a form letter that the pharmacy can send to the patient requesting additional time to respond to patient requests to access information, to respond to accounting of disclosures, or amend information. This ability to extend the time to respond to requests should be included in the *Information Request Policy*.

- **4.4.2.3 Authorization – The *Patient Authorization Policy* outlines how you will handle disclosures that are not related to treatment, payment, or healthcare operations. The *Patient Authorization Form* must be signed by the patient and outlines how information is used and who the information is provided to.
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The NCPA Heart also includes a form for authorization by a personal representative of the patient. The Agent 77 form could readily be modified to meet this purpose.
- 4.4.2.4 De-Identification – The *De-Identification Policy* indicates how you will de-identify information that may be shared with others.
- 4.4.2.5 Access to Minimum Necessary Information – The *Minimum Necessary Information Policy* outlines how your practice will insure that information is distributed to those within the organization who have a need to know.
- 4.4.4 Patient Lists – The *Patient Lists Policy* would outline how you handle information on sign-in logs to show that patients have received prescriptions or acknowledgements of Notice of Privacy Practices.
- 4.4.5 Oral Discussions – The *Oral Discussions Policy* indicates how your practice will protect health information when using the telephone or when discussing information directly with patients or others.
- 4.5.1 Breach of Privacy - The *Breach of Patient Information Privacy Policy* addresses patient notification, staff discipline, modification of office routines to prevent further breaches and any other actions appropriate to the seriousness of the breach. The *Breach of Patient Information Privacy Procedure* documents the steps to follow if patient information privacy is, or may have been, breached.
- 4.5.2 Storage and Access to Medical Records – The *Storage and Access to Medical Records Policy* indicates the different types of records that you have and the safeguards used when handling them.
- 4.5.3 Disposal of Patient Data – The *Disposal of Patient Data Policy* outlines how your practice handles the destruction of unwanted paper and electronic files, telephone notes, and any other copies of patient information.
- 4.5.4 New Employee Privacy Orientation – The *New Employee Privacy Orientation Policy* outlines how new employees will receive training on privacy and what is covered. The policy can include levels of orientation for different types of employees.
- 4.5.5 Business Associate Agreements – The *Business Associate Agreement* should be a standard agreement that will meet HIPAA requirements.