

UConn HEALTH

Administrative Policy

2003-12 Notice of Privacy Practices

Title	Notice of Privacy Practices
Policy Owner and Contact Information	Office of Healthcare Compliance & Privacy privacyoffice@uchc.edu
Campus Applicability	UConn Health
Applies to	UConn Health Workforce, including John Dempsey Hospital
Effective Date	January 17, 2023

PURPOSE:

This policy describes requirements for complying with applicable provisions of the Health Insurance Portability and Accountability Act of 1996, the Health Information Technology for Economic and Clinical Health Act, and the associated regulations (herein collectively referred to as “HIPAA”) regarding the content, provision, and revision of a notice of privacy practices for UConn Health.

POLICY STATEMENT(S):

1. Content

- (a) The UConn Health Notice of Privacy Practices (the “Notice”) is written in plain language, includes an effective date, and describes:
 - How UConn Health may use and disclose PHI about an individual, including requirements imposed by state law as well as elective limitations imposed by UConn Health;
 - The individual’s rights with respect to PHI and how the individual may exercise these rights;
 - UConn Health’s legal duties with respect to PHI, including a statement that UConn Health is required by law to maintain the privacy of PHI;
 - The individual’s right to complain to the Secretary of the Department of Health and Human Services and UConn Health, how the individual may file a complaint with UConn Health, and a statement that the individual will not be retaliated against for filing a complaint; and
 - Who individuals can contact for further information about UConn Health’s privacy policies.
- (b) The specific contents of the Notice meet the requirements of 45 CFR 164.520(b), including but not limited to:
 - a. Required header language;
 - b. Descriptions and examples for uses and disclosures;
 - c. Explanation of individual’s rights;
 - d. UConn Health’s duties as a covered entity;
 - e. Description of how to make Notice-related complaints;
 - f. Contact information; and
 - g. An effective date.

2. Providing the Notice

(a) UConn Health:

- Makes the Notice available to any person who asks for it;
- Posts the Notice in prominent locations (e.g., in or near patient registration areas);
- Prominently posts and makes the Notice available on public UConn Health websites;
- Provides the Notice to the individual, or the individual's representative, no later than the date of first service delivery, and, except in emergency treatment situations, makes a good faith effort to obtain the individual's written acknowledgement of receipt (if an acknowledgment cannot be obtained, UConn Health must document efforts to obtain the acknowledgment and the reason why it was not obtained);
- Provides the Notice as soon as it is reasonably practicable to do so after an emergency situation has ended; and
- Provides the Notice to an individual automatically and contemporaneously in response to the individual's first request for service when first service delivery is provided over the internet, through e-mail, or otherwise electronically, and makes a good faith effort to obtain a return receipt or other transmission from the individual in response to receiving the Notice.

(b) Notwithstanding the above, the Notice does not apply to patients in the custody of the Department of Correction, and UConn Health shall not provide the Notice to such patients.

3. Revisions to the Notice

(a) The Office of Healthcare Compliance & Privacy reviews the Notice periodically to evaluate for revisions and updates, and no less often than every two years.

(b) UConn Health promptly revises and redistributes the Notice whenever material changes occur to the uses or disclosures, the individual's rights, UConn Health's legal duties, or any other privacy practices stated in the Notice. Such revisions shall be implemented on the effective date of the updated Notice, except when otherwise required by law.

(c) The UConn Health Chief Privacy Officer and the UConn Health: Healthcare Compliance & Privacy Committee shall approve any revisions made to the Notice.

(d) UConn Health shall not permit or recognize any revisions to the Notice by patients or their representatives, including but not limited to strikeouts, insertions, and deletions.

DEFINITIONS:

Protected Health Information (PHI): Any information, including payment information, whether oral or recorded, transmitted, or retained in any form or medium, including demographic information collected from an individual, that:

- Is created or received by UConn Health;
- Relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual; and
- Identifies the individual, or with respect to which there is a reasonable basis to believe the information can be used to identify the individual.

Protected Health Information excludes information in education records covered by the Family Educational Right and Privacy Act (FERPA), records described in 20 USC 1232g(a)(4)(B)(iv), employment records held by UConn Health in its role as an employer, or healthcare records related to individuals who have been deceased for more than 50 years.

Workforce Members: Employees, volunteers, trainees, and other persons whose conduct, in the performance of work for UConn Health, is under the direct control of UConn Health, whether or not the person is paid by UConn Health.

PROCEDURES/FORMS:

[HCH 901 Consent to Treatment and Use and Disclosure of Health Information](#)

REFERENCES:

45 C.F.R. § 164.520 (HIPAA Privacy Rule)

RELATED POLICIES AND OTHER DOCUMENTS:

[UConn Health Notice of Privacy Practices](#)

UConn Health Policy #[2003-13 Consent to Treatment](#)

ENFORCEMENT:

Violations of this policy or associated procedures may result in appropriate disciplinary measures in accordance with University By-Laws, General Rules of Conduct for All University Employees, applicable collective bargaining agreements, the University of Connecticut Student Code, other applicable University Policies, or as outlined in any procedures document related to this policy.

APPROVAL:

Bruce Liang (Signed)
Bruce Liang
UConn Health Chief Executive Officer

1/17/2023
Date

Kiki Nissen (Signed)
Kiki Nissen
Administrative Policy Committee Vice-Chair

1/17/2023
Date

Janel Simpson (Signed)
Janel Simpson
Administrative Policy Committee Chair

1/13/2023
Date

POLICY HISTORY:

New Policy Approved: 4/14/03

Reviewed Without Changes: 1/08

Revised: 3/05, 9/13, 11/18, 1/23