

Atlantic Care Services	
CHAPTER: Patient Rights and Responsibilities	POLICY: Health Insurance Accountability Act (HIPAA)
EFFECTIVE DATE: 01-01-2021	REVISION DATE:

POLICY

The company will be fully compliant with HIPAA and subsequent HHS amendments and rulings affecting the security and controlled access to Protected Health Information (PHI).

The company will secure all patients PHI and only disclose PHI as permitted by law. Company personnel and business associates are required to disclose the minimum amount of PHI necessary to achieve the purpose of the disclosure.

The patient has the right to request the company to amend his/her PHI in a designated record set for as long as the information is maintained in the record set. Requests for records will be honored within 3 business days.

The company does not sell or share personal information with third parties for marketing/promotional purposes.

PROCEDURE

1. PHI is defined as any individually identifiable health information in any format (written, verbal, or electronic) that may only be disclosed as permitted by law.
2. Electronic media is defined as:
 - a. Electronic storage material on which data is or may be recorded electronically, including but not limited to:
 - i. Devices in computers (hard drives)
 - ii. Software or applications
 - iii. Any removable/transportable digital memory medium, such as magnetic tape or disk, optical disk, or digital memory card
 - b. Transmission media used to exchange information already in electronic storage media. Examples include but are not limited to:
 - i. the Internet, extranet or intranet
 - ii. leased lines, dial-up lines, private networks
 - iii. physical movement of removable/transportable electronic storage media
3. All patient files are kept in a secured area unless being accessed by authorized personnel in the course of their duties.
4. The company will monitor for breaches and comply with current breach reporting rules.
5. As a covered entity, the company may use PHI for treatment, payment and/or operations purposes.

POLICY NAME

6. All employees will receive education on HIPAA and PHI upon hire. Violations of the company’s privacy practices will result in disciplinary action up to and including termination of employment or contracts.
7. Patients are informed of their right to request restrictions on the use and disclosure of their PHI in the company’s Notice of Privacy Practices, see the “Patient’s Guide to Homecare Services”.
8. The company will make reasonable efforts to limit the PHI used, disclosed or requested to a minimum amount needed to achieve the purpose of the use, disclosure or request. The minimum necessary standard does not apply to disclosures for patient treatment or as required by law.
9. The patient has the right to inspect or obtain a written or electronic copy of his/her PHI.
10. If the patient requests an amendment to the PHI, the company will on a patient’s request for access as soon as possible.
11. Business associate agreements reflect the new HHS ruling regarding the direct liability of the business associate for any breach of confidentiality for a home health care patient’s PHI effective September 23, 2013.
12. All patient information is considered to be privileged information and is not shared with anyone not directly associated with his or her service, unless specifically directed by the patient or patient representative or as authorized by law that requires documentation of the permission.

RESOURCES:

Accreditation Standard	Federal Regulation	State Specific Regulation
CHAP- Home Care: <ul style="list-style-type: none">• HCCC.1• HCPS.13• HCPC.12• HCCE.12		Arizona: No additional requirements Florida: No additional requirements Texas: No additional requirements

POLICY NAME