

Activating The Privacy Procedures: Steps To Take For Implementation

The Privacy Procedures and associated forms are included in draft format on paper in Section XI of the *Protecting Health Information: Employers Guide For Meeting The HIPAA Privacy Rule*. The Privacy Procedures and forms are also included in electronic format on a CD in provided with this Guide. Using the CD, there are several steps the Plan Sponsor/Employer needs to take to tailor the procedures to their Plan. The following steps use the files on the CD.

- 1) *HIPAA Privacy Procedures* File, Page 2 , add **Name of Employer/Plan Sponsor and Name of Plan;**
- 2) *HIPAA Privacy Notice Summary Notice* File, add **The Name of Plan.**
- 3) *HIPAA Privacy Notice* file, add, **Name of Plan** on page 1 and add **Name Of Privacy Officer** on page 6. Information on the job description and functions of the Privacy Officer are in Section 11.0 of the Privacy Procedures.
- 4) *HIPAA Privacy Certification Of Sponsor To The Plan file*, add **Name of Plan, Name of Employer** and have the document **signed** by an officer of the Plan Sponsor/Employer with the **date** of the signature.
- 5) *HIPAA Privacy Plan Amendment* file, add **Name of Plan, Amendment Number** (based upon how many amendments the Plan has implemented since January 1, 2004), **Names and Titles** (can be just titles) of individuals authorized to access PHI (these names/titles appear at the bottom of page 2 of 4), **Approve, Sign and Date** the amendment.
- 6) *HIPAA Business Associate Agreement* file, add **Name of Plan, Name of Employer**, and for each Business Associate, add **Name of Business Associate and their address, sign and date and have Business Associate sign and date the agreement.**
- 7) For *Privacy Training* file, there is nothing to add to the file. It should be used to train each employee named in the amendment as authorized to have access to PHI and to other who might inadvertently see PHI during their normal course of activities.
- 8) *HIPAA Privacy Employee Agreement* file, add **Name of Employer/Plan Sponsor, Name of Plan, Effective Date of Agreement** (may vary by employee), and have each employee who attended the training program to **Sign the Agreement.**
- 9) *HIPAA Privacy Authorization Form* file, add **Name and Address of Privacy Officer and Name of Plan** on last page at the bottom.
- 10) *HIPAA Privacy Forms For Inspection Of PHI* file, on the first page is the *INDIVIDUAL REQUEST TO INSPECT HEALTH INFORMATION* ,add **Name of Plan, Name of Privacy Officer, Address of Privacy Officer.** On the second page is the *GROUP HEALTH PLAN'S RESPONSE TO INSPECTION REQUEST*, add **Name of Plan.**

- 11) *HIPAA Privacy Request For Amendment* file, on page one add **Name of Plan, Address of Privacy Officer** and on page two add **Name of Plan**.
- 12) *HIPAA Privacy Complaint Form Of Plan* file, add **Name of Plan**.
- 13) *HIPAA Privacy OCR Complaint Form Page 1 and HIPAA Privacy OCR Complaint Form Page 2*. This is a government form and there is nothing to add at this time. It will be provided to individuals who request it to file a complaint with the Office of Civil Rights.
- 14) *HIPAA Privacy Request Not To Disclose PHI* file, add **Name of Plan**.
- 15) *HIPAA Privacy Disclosure Log* file, there is nothing to add at this time.

Once the above steps are completed, we suggest that each form be printed as revised and used to replace the draft form in the corresponding section of the Privacy Procedures. The draft forms are printed on yellow paper for easy identification. Once this is completed, the Privacy Procedures are ready for implementation.

The next step is to review the entire *PROTECTING HEALTH INFORMATION:EMPLOYERS GUIDE FOR MEETING THE HIPAA PRIVACY RULE* with close attention to the Privacy Procedures (Section XI) to assure that all procedures are implemented as documented. There are some steps in the procedure that require action before April 14, 2004, including sending Privacy Notices, the Amendment and the Certification to Plan Participants and completing the training program. The Privacy Officer should assure that all actions with the April 14, 2004 deadline are identified and implemented on time.