

HIPAA POLICY: NOTICE OF PRIVACY PRACTICES

Policy

The University of Southern California (USC) is required to give all patients a Notice of Privacy Practices (Notice), which explains i) the ways that USC may use and release their health information; and ii) describes the patients' rights with respect to their health information.

USC, generally, may not use or release protected health information for treatment, payment, or health care operations without a patient's signed written acknowledgement that they received a Notice.

Procedures

1. **Obligation to provide Notice:**

USC¹ is required to inform patients of its possible uses of their Protected Health Information² in a Notice no later than the first date that clinical service is provided.

2. **Content of Notice:**

The Notice shall explain USC's possible uses and disclosures of the patient's Protected Health Information (PHI), the patient's rights regarding his or her PHI and USC's legal duties with respect to that PHI. The Notice shall be written in plain language and shall contain the elements required by the HIPAA Privacy Rule.

¹ For purposes of the HIPAA Privacy Rule, USC includes USC Norris Cancer Hospital, Keck Hospital of USC, USC's employed physicians, nurses and other clinical personnel, those units of USC that provide clinical services within the School of Pharmacy, the Herman Ostrow School of Dentistry, Physical and Occupational Therapy as well as the Keck Doctors of USC, those units that support clinical and clinical research functions, including the Offices of the General Counsel, Audit and Compliance.

² Protected Health Information is identifiable information that relates to an individual's past, present or future physical or mental condition or to payment for health care.

Issued by: Elizabeth Garrett
Provost and Senior Vice President,
Academic Affairs

Todd R. Dickey
Senior Vice President, Administration

Date issued: November 15, 2011

3. Posting of Notice:

The Notice shall be posted in a clear and prominent location in USC's clinical sites where it is reasonable to expect individuals seeking service to be able to read the Notice. In addition, the Notice shall be posted on USC's website.

4. Notice acknowledgment:

USC will make a good faith effort to obtain written acknowledgment of receipt of the Notice. If despite good faith efforts USC is unable to obtain a written acknowledgment of receipt, then USC will document its efforts and the reason(s) why the written acknowledgment of receipt could not be obtained.

5. Personal Representatives:

In cases where the patient has a Personal Representative, as defined in USC HIPAA Policy CLIN-202, the Notice may be provided to the Personal Representative and the Personal Representative may acknowledge receipt of the Notice on behalf of the patient. However, an unemancipated minor with the right to consent to treatment under state law must be provided with the Notice.

6. Record retention:

Copies of the acknowledgment or documentation of the good faith efforts to obtain an acknowledgment shall be maintained in the patient's record or electronically stored for a period of six years from the date of their creation, or the date when such Notice last was in effect, whichever is later.

7. Revisions to Notice:

USC shall promptly revise its Notice whenever there is a material change to the uses or disclosures, the individual's rights, USC's legal duties, or other privacy practices stated in the Notice; post the revised Notice on its website; and post and distribute the revised Notice at its practice sites.

8. Internal procedures:

The applicable clinical sites shall develop internal procedures for ensuring compliance with this policy.

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Additional References

45 CFR §§ 164.506; 164.510(b); 164.520

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