




POLICY AND PROCEDURE MANUAL



OLYMPIC
HEALTH &
RECOVERY
SERVICES

TITLE:	Notice of Privacy Practices	POLICY:	2010
SECTION:	Privacy		
EFFECTIVE:	1.1.2020		
		REFERENCES:	CFR: 164.502(i), 164.520(a)(1)-(3), 164.520 (b)(1)(iii)(a)-(c), 164.520 (e), 164.522(a)(3), 164.524(e)
LAST REVIEWED DATE:	12.10.2024	REVISIONS	1.1.2025
APPROVED:		DATE:	1.1.2025

I. PURPOSE

- A. The HIPAA Privacy Rule provides that service recipients have a right to notice of how we may use and disclose a service recipient’s PHI, as well as the service recipient’s rights and our obligations regarding their PHI. We have developed a Notice of Privacy Practices to meet these requirements and will make the notice available to our service recipients as required by the Privacy Rule and as described in this policy. Our organization will strive to abide by the terms of our notice as currently in effect.

II. POLICY

A. Content of Notice

1. Thurston-Mason Behavioral Health Administrative Services Organization (Thurston-Mason BH-ASO) and Olympic Health and Recovery Services’ (OHRs) Notice of Privacy Practices (“Notice”) has been written in plain language to contain all of the elements required by the Privacy Rule, including the following:
 - a) A description of how we use and disclose service recipients’ PHI, including:
 - b) A description, with at least one example, of the types of uses and disclosures that we are permitted to make for treatment, payment, and health care operations;
 - c) A description of each of the other purposes for which we are permitted or required by HIPAA to use or disclose PHI without the service recipient’s written authorization, this should include uses and disclosures as required by law enforcement activities; and
 - d) A statement that other uses and disclosures will be made only with the service recipient’s written authorization.
 - e) A description of the individual rights of our service recipients regarding access and control of their PHI, and how a service recipient may exercise those rights, including:
 - 1) The right to request restrictions on certain uses and disclosures and whether our organization is required to agree to a requested restriction;
 - 2) The right to receive certain confidential communications;
 - 3) The right to inspect and copy PHI;

- 4) The right to request an amendment of PHI;
 - 5) The right to receive an accounting of certain disclosures of PHI;
 - 6) A description of our complaint procedure for addressing problems the service recipient may have with our privacy organizations;
 - 7) The right to obtain a paper copy of the notice upon request;
 - 8) Any special rights related to PHI that we maintain electronically; and
 - 9) notice of any allowed fees that will be charged related to the above
- f) A description of our legal duties regarding PHI, including our legal obligation to maintain the privacy of PHI.
 - g) Identification of whom in our organization a service recipient may contact for more information about our privacy practices.
 - h) The effective date of the notice and any revisions of the notice, with the effective date of such revisions.

III. PROCEDURE

A. Providing the Notice

1. Thurston-Mason BH-ASO/OHRS will present the notice to each service recipient at their first date of service delivery by us and will make a good faith attempt to obtain each service recipient's acknowledgment of receipt of the notice.
2. Thurston-Mason BH-ASO/OHRS will have a service recipient acknowledge receipt by signing an acknowledgment form.
3. If the service recipient refuses to provide such acknowledgment, we will document in the service recipient's chart our efforts to obtain the service recipient's acknowledgment and the reason why the acknowledgment was not obtained.
4. If there is an emergency treatment situation, we will provide the notice to the service recipient as soon as reasonably practicable after the emergency situation. No acknowledgment of receipt of the notice need be obtained in an emergency situation.
5. Thurston-Mason BH-ASO/OHRS will post our entire current notice in a prominent location in our office(s)
6. Thurston-Mason BH-ASO/OHRS will provide a paper copy of the notice upon a service recipient's request.
7. When our first treatment encounter with a service recipient is not face-to face, we will follow the following procedures:
 - a) If we first treat a service recipient over the telephone (not simply obtain information to schedule an appointment or procedure), we will mail the notice to the service recipient the same day, if possible, with a request to sign an enclosed acknowledgment and return it to our office. We will maintain a file copy of the acknowledgment form sent to the service recipient as documentation of our efforts to obtain the service recipient's acknowledgment, in case the service recipient fails to return the acknowledgment form.
 - b) We may e-mail our notice to a service recipient if the service recipient agrees to receive an electronic notice. An electronic return receipt will serve as the service recipient's acknowledgment of receipt of the notice.

- c) If our first service delivery to a service recipient is provided over the Internet, through e-mail, or otherwise electronically, we will send an electronic notice automatically and contemporaneously in response to the service recipient's first request for service. An electronic return receipt will serve as the service recipient's acknowledgment of receipt of the notice. The service recipient may withdraw their request for receipt of electronic notices.
8. If the service recipient has a personal representative acting on the service recipient's behalf at the time notice is provided, we will provide the notice to the representative and make a good faith effort to obtain the representative's acknowledgment of receipt of the notice.

B. Revisions to our Notice

1. Thurston-Mason BH-ASO/OHRS will advise service recipients in the notice that we reserve the right to change the terms of the notice and to make the new notice provisions effective for all PHI that we maintain.
2. Thurston-Mason BH-ASO/OHRS will review our notice at least annually. If we determine at any time that there is a material change to our privacy organizations, or there is a change in law that requires a change in our notice, we will revise our notice, date it with the effective date of the revision, post the revised notice in our office(s), then implement the changes (unless a change in law requires that we implement the change sooner), and provide the revised notice pursuant to this Policy. We will advise service recipients in our notice that they can obtain a revised notice upon request on or after the effective date of any revision. No acknowledgement is necessary for providing a revised notice to a service recipient who has received a prior version of our notice. If we maintain a website, service recipients can access our revised notice on our website.
3. If Thurston-Mason BH-ASO/OHRS participates in an Organized Health Care Arrangement and utilizes a single, joint notice with another health care provider, then a joint notice of privacy organizations exist in a prominent location for each entity's locations, and specify: the covered entities involved, or classes of service delivery sites to which the joint notice applies, and states the participating covered entities will share PHI with each other, as necessary to carry out TPO.

C. Documentation

1. Our Privacy Officer will document and maintain a file containing a copy of our notice and every revised notice that is issued by our organization.
2. Thurston-Mason BH-ASO/OHRS will place in the service recipient's medical record a copy of the acknowledgment of receipt (which will also contain a reference to the version of the notice they received), PHI restrictions/terminations and amendments to PHI, whether provided by hard copy or electronically, or documentation of our good faith efforts to obtain such written acknowledgment for a minimum of six years.