

HIPAA-11: Patient Rights Policy

Effective Date:	12-01-2015	Last Revised:	7-17-2017
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Scope of Policy

This policy governs the provision and management of Patient Rights for **TCS**. All personnel of **TCS** must comply with this policy. Demonstrated competence in the requirements of this policy is an important part of the responsibilities of every member of the workforce.

Assumptions

- TCS** must comply with HIPAA and the HIPAA implementing regulations, in accordance with the requirements pertaining to the rights of patients at § 164.520, to § 164.528, as amended by the HITECH Act of 2009 (ARRA Title XIII), and the HIPAA Omnibus Final Rule (Effective Date: March 26, 2013).
- Patient information related to patient rights includes only that information contained in each patient's Designated Record Set ("DRS"), defined in the HIPAA regulations at § 164.501 as:
 - A group of records maintained by or for a covered entity that is:
 - The medical records and billing records about individuals maintained by or for a covered health care provider;
 - The enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan; or
 - Used, in whole or in part, by or for the covered entity to make decisions about individuals.
 - The term "record" means any item, collection, or grouping of information that includes protected health information and is maintained, collected, used, or disseminated by or for a covered entity.
- The provision of patient rights in a timely and positive manner can enhance the quality of care we provide to patients, by providing certain rights and controls to patients over their individually identifiable health information.

Policy Statement

- It is the Policy of **TCS** to provide all the patient rights to our patients that are called for in the HIPAA regulations. Patient Rights that we provide and support include:
 - The Right to receive a copy of our "Notice of Privacy Practices", which details how individually identifiable health information may be used or disclosed by this organization.
 - The Right to review or obtain a copy of medical records about that patient, or about the patient's minor children.
 - The Right to request restrictions on the use or disclosure of the patient's medical records.
 - The Right to receive individually identifiable health information at an alternate address or through alternate delivery means, such as by fax or courier.
 - The Right to request amendments to medical records, with certain limitations.
 - The Right to an accounting of certain disclosures of individually identifiable health information.
 - The Right to file a privacy complaint directly with us, or with the federal government.
- No retaliation of any kind is permitted against any person, patient, or workforce member for exercising any Right guaranteed by HIPAA.

Procedures

- A document outlining the Patient Rights will be included in the orientation packet given to all clients at the time services are initiated.
- The agency's HIPAA Notice of Privacy Practices will be included in the orientation packet given to all clients at the time services are initiated.
- The orientation packet will include contact information for the agency's Patient Rights Officer and the agency's Privacy Officer.