

Health Information Compliance Alert

Privacy Compliance: Don't Let Your Notice Of Privacy Practices Go By The Wayside

3 expert tips to help you freshen up your privacy notice.

Your notice of privacy practices (NPP) is your office's promise that you'll protect and secure medical information -- but a patient who claims she didn't understand your notice could wind up making a complaint. Use these expert tips to reexamine and refine your NPP to appeal to your patients without putting you in OCR's spotlight.

Get To The Point

Pinpoint and revise the sections where your notice might cause some confusion for your patients, suggests **Daniel Shepherd**, privacy officer for **Singing River Hospital System** in Ocean Springs, MS. **Tip:** Get your staff in on the action, suggests **Katherine Downing**, director of patient privacy for Nashville, TN's **HCA Healthcare**. Ask each staffer to read your notice and point out the areas that are confusing or outdated, she says.

Example: In the disclosures portion of Singing River's notice, Shepherd originally specified by name which providers they would disclose information to. After a closer read, Shepherd changed the notice to "note that PHI will be disclosed to the patient's primary care physician" and followed that with a list of doctors' names as examples.

Think of it this way: For regular, day-to-day office tasks, you can be more specific because patients are probably aware of those activities. But for peripheral job operations that you don't normally do -- like participating in research studies -- you don't have to be exact, he notes.

Break It Up

If you can't whittle your privacy notice down to a couple of pages, try breaking it into two parts -- a summary and a detailed explanation, counsels partner **Debbie Larios**, an attorney with **Miller & Martin** in Nashville, TN.

Your summary should clearly state your patients' "basic privacy rights and what disclosures you will make," Larios says. **Important:** Be sure to include a disclaimer at the beginning of your summary that directs patients to your full notice for a more detailed explanation of your privacy practices, she stresses.

Good idea: Don't wait for your patients to request a copy of your full NPP. Instead, post it in your waiting room. Or, you could laminate a couple of copies for patients to read while they wait, Larios suggests.

Write For Your Patients

You have to focus on your patients' needs, not the rule's requirements, asserts Downing. Ask yourself: "What do my patients need to know?" she says.

And you have to make sure your patients can read and understand your notice, Downing notes. **Tip:** Write your notice so that an eighth grader could read it and adjust the text size for your patients' age, she suggests.

The Bottom Line

While you have to redistribute your NPP only when you make a significant policy change or the privacy rule is revised, don't downplay your patients' desire for information. After working to clear up Singing River's notice, Shepherd found that informed patients began coming out of the woodwork.

