

# **HIPAA POLICIES, PROCEDURES and DOCUMENTS**

## **A Checklist for Providers**

*Every organization will have to develop policies and procedures in the format that works best for its individual needs. Some will prefer a limited number of policies, with each policy addressing many issues. Others will prefer separate, short policies addressing only one issue each. The following checklist serves to summarize one way that an organization may address the HIPAA requirements for policies, procedures and documents.*

\_\_\_ **General Privacy Statement and Issues – A general policy may be a good place to put such issues as:**

- Statement of organization’s privacy principles
- Overview of types of permission needed for use and disclosure of PHI (164.502)
- Required disclosures (164.502)
- Handling of PHI of deceased individuals (164.502)
- Handling of personal representatives (164.502)
- Privacy official (164.530)
- No retaliation for pursuing privacy rights or “whistleblowing” (164.530)
- Mitigation of damages from breach of privacy (164.530)
- Prohibition on asking patients to waive privacy rights (164.530)

\_\_\_ **Minimum Necessary (164.502; 164.514)**

\_\_\_ **De-Identification (164.502; 164.514)**

\_\_\_ **Business Associates (164.502; 164.504)**

- Business Associate contract

\_\_\_ **Unemancipated minors (164.502)**

\_\_\_ **Organizational Documentation (164.504)**

- Hybrid organization
- Affiliated Covered Entity
- Organized Health Care Arrangement
- Multiple Covered Functions

\_\_\_ **Uses and Disclosures for Treatment, Payment & Health Care Operations (164.506)**

\_\_\_ **Authorization (164.508)**

- Authorization form

\_\_\_ **Research (164.508)**

\_\_\_ **Marketing (164.508)**

\_\_\_ **Opportunity to Agree or Object (164.510)**

- Facility directory
- Persons involved in care or payment
- Disaster relief

\_\_\_ **Public Policy Disclosures (164.512)**

\_\_\_ **Limited data set (164.514)**

\_\_\_ **Verification of Identity and Authority (164.514)**

\_\_\_ **Fundraising (164.514)**

- \_\_\_ **Notice of Privacy Practices (164.520)**
  - Notice
- \_\_\_ **Request for Restrictions on Uses and Disclosures (164.522)**
- \_\_\_ **Requests for Confidential Communications (164.522)**
- \_\_\_ **Patient Access to Records (164.524)**
- \_\_\_ **Amendment of Patient Records (164.526)**
- \_\_\_ **Accounting of Disclosures (164.528)**
  - Accounting form
- \_\_\_ **Complaint Process (164.530)**
- \_\_\_ **Training (164.530)**
- \_\_\_ **Safeguards (164.530)**
- \_\_\_ **Discipline/Sanctions (164.530)**
- \_\_\_ **Document Retention (164.530)**

***THIS DOCUMENT SHOULD BE CONSIDERED ONE EXAMPLE OF HOW AN ORGANIZATION CAN START THEIR COMPLIANCE EFFORTS- IT IS INTENDED TO BE USED SOLELY AS A VEHICLE FOR DISCUSSION TO HELP COMPANIES DEVELOP THEIR OWN COMPLIANCE MATERIAL. THIS DOCUMENT IS PROVIDED AS GENERAL GUIDANCE AND DOES NOT CONSTITUTE LEGAL ADVICE. COMPANIES SHOULD CONTACT THEIR OWN LEGAL COUNSEL TO TAILOR THE DOCUMENT TO MEET THEIR SPECIFIC NEEDS.***