

PRIVACY 4.0

NOTICE OF PRIVACY PRACTICES

Scope: All subsidiaries of Universal Health Services, Inc., that are [covered entities](#) (“Facilities”).

Purpose: To outline the policy and process for each Facility to distribute the Notices of Privacy Practices (“Notices”) and obtain patient acknowledgment.

Definitions:

Terms not defined in this Policy or the *HIPAA Terms and Definitions* maintained by the UHS Compliance Office will have the meaning as defined in any related State or Federal privacy law including the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (“HIPAA”) and regulations promulgated thereunder by the U.S. Department of Health and Human Services (“HHS”) at 45 CFR Part 160 and 164, Subparts A and E (“Privacy Regulations” or “Privacy Rule”) and Subparts A and C (“Security Regulations” or “Security Rule”), the Health Information Technology for Economic and Clinical Health Act (“HITECH”) privacy and security provisions of the American Recovery and Reinvestment Act (Stimulus Act) for Long Term Care, Public Law 111-5, the American Recovery and Reinvestment Act of 2009 (“ARRA”), Title XIII and related regulations.

Policy:

Facilities will distribute Notices of Privacy Practices to patients that will provide notice of the [uses](#) and [disclosures](#) of [protected health information](#) (“PHI”) that may be made by the Facility, as well as the patient’s rights and the Facility’s duties and privacy practices with respect to [PHI](#) as required under [HIPAA](#).

Procedure:

The Facility will provide patients with a notice of privacy practices (“Notice”) that clearly explains patients’ [privacy](#) rights under HIPAA and will document patient acknowledgement of receipt of the Notice using the procedure described below.

UHS has developed the following templates for these Notices that are included as an attachment to this Policy:

- Notice of Privacy Practices – Behavioral Health Division (English and Spanish)
- Notice of Privacy Practices – Acute Care Division (English and Spanish)

- Notice of Privacy Practices – Behavioral Health Facilities participating in a limited Organized Health Care Arrangement
- Notice of Privacy Practices – Acute Care Facilities participating in a limited Organized Health Care Arrangement.

State law may impose additional requirements (such as specifying font size or other requirements). The Facility Privacy Officer will consult with the UHS Privacy Officer if there are any questions about the additional state requirements applicable to them, and to make revisions to the Facility's Notice.

Distribution of the Notice:

The Facility will distribute the Notices as follows:

- Make the Notice available on the Facility's website;
- Make the Notice available to any individual who requests it;
- Prominently post the Notice in a location where it is reasonable to expect individuals seeking service from the Facility will be able to see and read it;
- Provide a copy of the Notice no later than the date of the first service delivery;
- Have copies of the Notice available where the health care services are rendered for individuals to take with them; and
- Provide Notices in English and Spanish formats.

The Facility may email the Notice if the individual agrees to receive an electronic Notice.

Emergency Situations:

In an emergency situation, the Notice will be provided as soon as reasonably practicable once the emergency has ended.

Acknowledgment of Receipt of the Notice:

The facility will make a good faith effort to obtain a written or electronic acknowledgement of receipt of the Notice from every individual prior to the date of the first delivery of services to the extent practicable (in emergency situations, this may be delayed). Only the patient or authorized

personal representative can provide acknowledgment of receipt of the Notice. Inability to obtain an acknowledgment will be clearly documented. **In no event will treatment be conditioned on the patient's acknowledgement of the receipt of the Notice.**

Amendment of the Notice

If the Notice is amended, the Notice must be made available by the Facility upon request for individuals to take with them promptly after the effective date of the amendment and the notice must be posted in a clear and prominent location where it is reasonable to expect individuals seeking service from the Facility will be able to see and read it. However, a new patient acknowledgement is not required – a good faith effort to obtain an individual's acknowledgment is only required at the first service delivery.

Retention of the Notice

The Notice will be retained by the Facility Privacy Officer or their designee for six (6) years.

References:

45 C.F.R. Parts 160 and 164
45 C.F.R. § 160.520
ARRA, Title XIII, Subtitle D

Revision Dates:	10-12-2017; 11-16-2015; 07-22-2013
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Reviewed and Approved by:	
	UHS Compliance Committee