

<b>ADAMHS BOARD FOR MONTGOMERY COUNTY</b>	<b>BP # 509</b>	
<b>TITLE</b> HIPAA: Development and Distribution of Notice of Privacy Practices	<b>SUBJECT</b> HIPAA	
Page 1 of 2	<b>EFFECTIVE DATE</b> 04/14/03	<b>SUPERSEDES DATE</b>

**PURPOSE:** The Health Insurance Portability and Accountability Act of 1996 (HIPAA) granted individuals the right to receive adequate notice of the uses and disclosures of their protected health information (PHI) that may be made by a covered entity, and the individual's rights and the entity's legal duties with respect to PHI. This policy has been developed to assist the Board to comply with the law and to guide the Board in assuring that clients/members receive Notice of the Board's Privacy Practices.

**POLICY:**

1. ADAMHS Board for Montgomery County shall develop and maintain a Notice of Privacy Practices that complies with HIPAA requirements and is written in plain language that clearly informs clients/members of the Board's uses and disclosures of PHI, it's duties regarding client's rights and other responsibilities with respect to PHI.
2. ADAMHS Board for Montgomery County shall make a reasonable effort for all current clients/members of the Board's Plan to receive a copy of the Notice of Privacy Practices. Each client/member has the opportunity to seek clarification if needed.
3. ADAMHS Board for Montgomery County shall post a copy of the Notice prominently in public areas of its Office and post the Notice on its website.

**Definitions**

- 1.1 Individually Identifiable Health Information (IIHI). A subset of health information, including demographic information collected from an individual and that is created or received by a health care provider and relates to the past, present, or future physical or behavioral health or condition of an individual, the provision of health care to an individual, or the past, present or future payment for the provision of health care to an individual, and which identifies the individual, or with respect to which there is a reasonable basis to believe that the information can be used to identify the individual.

<b>ADAMHS BOARD FOR MONTGOMERY COUNTY</b>	<b>BP # 509</b>	
<b>TITLE</b> HIPAA: Development and Distribution of Notice of Privacy Practices	<b>SUBJECT</b> HIPAA	
Page 2 of 2	<b>EFFECTIVE DATE</b> 04/14/03	<b>SUPERSEDES DATE</b>

- 1.2 Protected Health Information (PHI). The final rule defines PHI as individually identifiable health information that is transmitted by electronic media; maintained in any electronic medium such as magnetic tape, disc, optical file; or transmitted or maintained in any other form or medium (i.e. paper, voice, fax etc.).
- 1.3 Designated Record Set. A group of records maintained by or for the agency that is:
- a. The medical records and billing records about individuals maintained by or for the agency
  - b. The enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan
  - c. Used, in whole or in part, by or for the agency to make decisions about the individual.
  - d. Medical records of individuals treated by defunct agencies that are now maintained by the Board