

Health Insurance Portability and Accountability Act (HIPAA) Compliance Documents

There are two separate documents that every EI Payee or Provider is required to have completed, as defined in section 2.5 of the Early Intervention Provider Handbook.

The 2 Required Documents:

1

Administrative Directive

Early Intervention Payees/Providers Must:

- Develop and implement written privacy policies and procedures consistent with HIPAA Privacy Rules.

Example content to include:

Stages

- Collection, storage, disclosure, and destruction stages.

Privacy Officer

- Privacy Officer who is responsible for the development, implementation, and oversight of the policies and procedures pertaining to HIPAA.

Filing Complaints

- HIPAA complaint process.

Access

- Access to Protected Health Information (PHI).

Requirements

- Minimum necessary requirements for using, disclosing, or requesting PHI.

Accounting

- Accounting of disclosures of PHI.

2

Notice of Privacy Practices

- Provide families with a copy of their *Notice of Privacy Practices* upon commencement of the families' receipt of EI services. This may be during an initial evaluation or assessment for example.

The Notice of Privacy Practices must:



When PHI is used

- Describe instances in which an EI Payee may use and disclose Protected Health Information (PHI).



Duty to protect privacy

- State the EI Payee's duties to protect privacy.



Individual rights

- Describe individual's rights, including the right to complain to the US Department of Health and Human Services (HHS), and to the EI Payee, if the individual believes his or her privacy rights have been violated.



Contact information

- Include a contact for further information and for making complaints to the EI Payee.

At an Early Intervention Monitoring Review, the EI Monitor will be looking to see if the EI Payee has completed these requirements and that the documents contain these required elements.

Example Notice of Privacy Practices

 <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/model-notices-privacy-practices/index.html>