

Notice of Privacy Practices

POLICY # 02-13-05

POLICY

Camelot shall ensure that all clients are provided the Camelot Notice of Privacy Practices, which meets federal privacy notification requirements (45 CFR Parts 160 and 164) for protected health information. Camelot shall advise clients in a timely manner of any changes or revision to this notice and make the notice available at the request of any client.

AUTHORITY Camelot Community Care Board of Directors

APPLICATION All Camelot Community Care Programs

PROCEDURES

Content of Notice

1. General Content

Camelot must provide a notice to all clients that is written in plain language and that contains the following elements:

- a) The following statement as a header or otherwise prominently displayed: "THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.";
- b) A description, including at least one example, of the types of uses and disclosures that Camelot is permitted to make for treatment, payment, and health care operations;
- c) A description of each of the other purposes for which Camelot is permitted or required to use or disclose PHI without the client's written authorization;
- d) If a use or disclosure for any purpose described in paragraph (1)(b) or (c) is prohibited or materially limited by other applicable law, the description of such use or disclosure must reflect the more stringent law;
- e) For each purpose described in paragraph (1)(b) or (c), the description must include sufficient detail to place the client on notice of the uses and disclosures that are permitted or required;
- f) A statement that other uses and disclosures will be made only with the client's written authorization and that the client may revoke the authorization as provided in Camelot Policy– Individual Rights Regarding PHI; and
- g) A statement of the client's rights with respect to PHI and a brief description of how the client may exercise these rights, including the right to request

restrictions on certain uses and disclosures and a statement that Camelot is not required to agree to the requested restriction, the right to receive confidential communications of PHI, the right to inspect and copy PHI, the right to amend PHI, the right to receive an accounting of disclosures of PHI, the right to obtain a paper copy of the notice from Camelot upon request.

Responsibilities of Camelot

1. The notice must contain information regarding Camelot's duties, which include the following elements:
 - a) A statement that Camelot is required by law to maintain the privacy of PHI and to provide clients with notice of its legal duties and privacy practices with respect to PHI;
 - b) A statement that Camelot is required to abide by the terms of the notice currently in effect; and
 - c) For Camelot to apply a change in a privacy practice that is described in the notice to PHI that Camelot created or received prior to issuing a revised notice, a statement that it reserves that right to change the terms of its notice and to make the new notice provisions effective for all PHI that it maintains. The statement must also describe how it will provide individuals with a revised notice.

Other Requirements

1. The notice must contain a statement that clients may complain to Camelot and to the Secretary of Health and Human Services if they believe their privacy rights have been violated, a brief description of how the client may file a complaint with Camelot, and a statement that the client will not be retaliated against for filing a complaint.
2. The notice must contain the name, or title, and telephone number of a person or office to contact for further information.
3. The notice must contain the date on which the notice is first in effect, which may not be earlier than the date on which the notice is printed or otherwise published.

Optional Content Elements

1. In addition to the information required in paragraph (III)(A), if Camelot elects to limit the uses or disclosures that it is permitted to make, Camelot may describe its more limited uses or disclosures in its notice, provided that Camelot may not include in its notice a limitation affecting its right to make a use or disclosure that is required by law or otherwise permitted.
2. For Camelot to apply a change in its more limited uses and disclosures to PHI created or received prior to issuing a revised notice, the notice must include the statements required by paragraph (III)(A).

Revisions or Changes to Notice

1. Camelot must promptly revise and distribute its notice whenever there is a material change to the uses or disclosures, the client's rights, Camelot's legal duties, or other privacy practices stated in the notice. Except when required by law, a material change to any term of the notice may not be implemented prior to the effective date of the notice in which such material change is reflected.
2. To implement a change to a privacy practice stated in the notice, Camelot must:
 - a. Ensure that the associated policy or procedure is revised to reflect the change in Camelot's privacy practices;
 - b. Document the revised policy and procedure in written or electronic form; and
 - c. Revise the notice as required to state the changed practice and make the revised notice available as required by paragraph (III)(D) of this policy. Camelot may not implement a policy or procedure change prior to the effective date of the revised notice.
3. If Camelot has not reserved its right to change a privacy practice that is stated in the notice, Camelot is bound by the privacy practices as stated with respect to PHI created or received while the notice is in effect, unless:
 - a. Such change meets the implementation specifications in paragraph (III)(C)(2) of this policy; and
 - b. Such change is effective only with respect to PHI created or received after the effective date of the notice.

Distribution of Notice

1. Camelot must make the notice available on request to any person, as follows:
 - a. No later than April 14, 2003 for Camelot, to clients then covered by the plan;
 - b. Thereafter, at the time of enrollment, to individuals who are new enrollees;
 - c. Within sixty (60) days of a material revision to the notice, to individuals then covered by the plan;
 - d. No less frequently than once every three years, Camelot must notify clients then covered of the availability of the notice and how to obtain the notice.

Specific Requirements for Electronic Notice

1. If Camelot maintains a website that provides information about its customer services or benefits, Camelot must prominently post its notice on the website and make the notice available electronically through the website.
2. Camelot may provide the notice required to a client by e-mail, if the client agrees to electronic notice and such agreement has not been withdrawn. If Camelot knows that the e-mail transmission has failed, a paper copy of the notice must be provided to the client. Provision of electronic notice by Camelot will satisfy the requirements of paragraph (III)(E) when made in timely accordance with the requirements of paragraph (III)(E).
3. The client who is a recipient of electronic notice retains the right to obtain a paper copy of the notice from Camelot upon request.

Compliance

1. Camelot must document compliance with these notice requirements by retaining copies of the notices issued by Camelot and, if applicable, any written acknowledgements of receipt of the notice or documentation of good faith efforts to obtain such written acknowledgment.