

SUBJECT: PATIENT RIGHTS – NOTICE OF PRIVACY PRACTICES
Policy: PSP 275
Effective Date: 2/18/2021
Revision Date:
Review Date:

HIPAA Policy & Procedures

PURPOSE

To provide individuals with adequate notice of their rights and of Kindred’s legal duties with respect to protected health information.

POLICY

Kindred provides individuals with adequate notice of their rights with respect to uses and disclosures of protected health information that may be made by Kindred and its business associates. Kindred notifies individuals of Kindred’s legal duties with respect to protected health information.

Kindred provides individuals with adequate notice of their rights with respect to uses and disclosures of protected health information through its notice of privacy practices (“Notice”).

PROCEDURE

Contents of Notice

Kindred maintains a Notice in compliance with the requirements of 45 C.F.R. § 164.520(b).

When Notice Should Be Provided

The Notice is provided at the time of admission or when service is first provided to the individual, whichever is first.

Obtaining Acknowledgement of Notice

Kindred makes a good faith effort to obtain an acknowledgement of receipt of the Notice by having the patient or responsible party sign the last page of the Notice. If an acknowledgment is not obtained, Kindred documents its good faith efforts to obtain an acknowledgment and the reason why the acknowledgment was not obtained.

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Emergency Treatment Situations

In an emergency treatment situation, the Notice should be provided as soon as reasonably practicable after the emergency treatment situation.

Facilities with a Physical Site

Where Kindred maintains a physical service delivery site, the facility should

1. Have the Notice available at the facility for individuals who request to take a copy with them; and
2. Post the Notice in a clear and prominent location where it is reasonable to expect individuals seeking service from the facility are able to read the notice.

Home care and hospice locations do not maintain a physical service delivery site and are not required to post a Notice.

Providing a Copy When Requested

Kindred makes the Notice available on request to any person who requests it.

Revision of the Notice of Privacy Practices

Whenever the Notice is revised, Kindred makes the Notice available upon request on or after the effective date of the revision and post the new Notice in a clear and prominent location.

Kindred promptly revises and distributes its Notice whenever there is a material change to the uses or disclosures, the individual's rights, Kindred'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 will not be implemented prior to the effective date of the Notice in which such material change is reflected.

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Website

Where Kindred maintains a website that provides information about Kindred's customer services or benefits, Kindred must prominently post its Notice on the website and make the Notice available electronically through the website. The notice is also placed on the Kindred corporate website.

Documentation

Facilities maintain the written acknowledgment of receiving the Notice or documentation of good faith efforts to obtain an acknowledgment in accordance with Kindred's Document Management Policy.

Other Procedures

Each Division may implement additional procedures not inconsistent with this policy to ensure its facilities notify patients of their rights. Designated divisional personnel periodically review such procedures for compliance with this policy.