

WSC ADVISORY #2017-035
NEW-UPDATED NOTICE OF PRIVACY PRACTICES

ACTION REQUIRED

EFFECTIVE DATE: AUGUST 11, 2017

Please be advised that effective August 11, 2017 a revised *Notice of Privacy Practices* HIPAA form was published. To ensure compliance with federal and state law, Waiver Support Coordinators must provide a copy of the revised *Notice of Privacy Practices* to the client or legal representative for all clients on their caseload during their next contact. The WSC must also provide the updated *Notice of Privacy Practices* to any new client on their caseload. APD revised the *Notice of Privacy Practices* to comply with federal HIPAA law which mandates that they be revised every 3 years.

The following timelines should be adhered to by waiver support coordinators:

- 1) **New Clients**: When a client is newly enrolled to receive APD services, the Waiver Support Coordinator must provide a copy of the updated APD *Notice of Privacy Practices*, as required by the HIPAA Privacy Rule, to the client or the client's legal representative upon initial contact with the client. The WSC should obtain a new receipt indicating that the client and/or the client's representative has been furnished with APD's *Notice of Privacy Practices*, APD OCD HIPAA Form #0000 (*Effective date*: August 11, 2017).
- 2) **Existing Clients**: WSC must provide a copy of the updated APD *Notice of Privacy Practices*, as required by the HIPAA Privacy Rule, to the client or the client's legal representative, within sixty (60) days from the issuance of this advisory but in no event later than January 8, 2018. The WSC should obtain a new receipt indicating that the client and/or the client's representative has been furnished with APD's *Notice of Privacy Practices*, APD OCD HIPAA Form #0000 (*Effective date*: August 11, 2017).

IMPORTANT: ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF PRIVACY PRACTICES

WSCs must document the client's acknowledgement of receipt of the *Notice of Privacy Practices* by having the client and/or legal representative sign the attached Acknowledgement of Receipt. For WSCs who currently use their own acknowledgement of receipt form, please be sure that the detail within the attached acknowledgement form is incorporated within the acknowledgement form provided.