Forward Integrated Services

REMOTE TRAINING, BEHAVIOR SUPPORT & GUIDANCE
FOR CARETAKERS, FAMILIES & THE DISABILITY COMMUNITY

Health Insurance Portability and Accountability Act (HIPAA) Policy
EFFECTIVE: 10/03/2022

BACKGROUND:
Health information includes some of the most sensitive facts about a person. Health care providers have protected the privacy of patient health information since ancient times so patients can explain their health problems fully and freely. Confidentiality is fundamental to health care. In modern times the privacy of health information faces many challenges including medical identity theft by skilled criminals.

PURPOSE:
The purpose of this policy to outline Forward Integrated Service, Inc. (FIS, Inc.) privacy policies and efforts to maintain confidentiality of client Protected Health Information (PHI).

PRIVACY POLICIES:
1. PR-1 Notice of Privacy Practices:
   - FIS, Inc. provides a Notice of Privacy Practices (NPP) to clients/personal representatives that explains their privacy rights. This is provided individually to clients/personal representatives as well as being available on the FIS, Inc. website. This notice is provided before the client receives services from us.
2. PR-2 Individual's Right to Request Restriction of Use or Disclosure of PHI:
   - An individual has the right to request restrictions of uses or disclosures of PHI. FIS, Inc. is not required to agree, but may agree to the restriction and then will adhere to it except if the individual needs emergency treatment and the PHI must be shared with a healthcare provider if it is needed to provide the emergency treatment. FIS, Inc. must agree to the request for restriction in some instances when the disclosure is to a Health Plan.
   - A restriction is not effective to prevent uses or disclosures when a patient/representative requests access to their records, when the use or disclosure is authorized by the patient, or for any required or permitted uses recognized by law.
   - The restriction can be terminated by the individual in writing or orally with appropriate documentation or by FIS, Inc. in writing.
   - The Privacy Official or Security Official can assist the individual with the written request.
3. PR-3 Confidential Communications:

- Clients/representatives can request how and where they receive communications of their PHI from FIS, Inc. An authorized FIS, Inc. employee will provide, and assist the individual as necessary in completing, the Confidential Communication Request form.

4. PR-4 Individual's Right of Access to PHI:
   - Clients/personal representatives have the right to inspect and obtain a copy of PHI maintained in client records, with some limitations, such as documents prepared for litigation.
   - FIS, Inc. must act on a request for access no later than 30 days after receipt of the request, with some specific exceptions that allow extensions.
5. PR-5 Individual's Request for Amendment of PHI or a Record:
   - Individuals are able to request in writing that FIS, Inc. amendment of PHI or their records.
   - FIS, Inc. can deny the request if the record was not created by FIS, Inc., if the information isn't in the FIS, Inc. record, if the record is accurate and complete, or if the information would not be available for inspection under PR-4.
   - If FIS, Inc agrees, it identifies the affected records and makes an amendment, but does not delete/remove information. FIS, Inc. informs the individual of the amendment, obtains from the individual the identities of persons with whom the amendment needs to be shared, and informs the appropriate persons of the amendment.
6. PR-6 Individual's Right to Accounting of Disclosures of PHI:
   - Individuals may request an accounting of disclosures of PHI via a written form. The request states the time period for which the accounting is requested, which may not be longer than six years.
   - The individual does not have the right to receive, and FIS, Inc. shall not provide, an accounting of disclosures made: to carry out treatment, payment, or health care operations, to the individual themselves, or in exceptions as seen in PR-6.
7. PR-7 Individual's Right to Complain:
   - FIS, Inc. will provide the process for individuals to make complaints concerning HIPAA compliance.
   - FIS, Inc. will not engage in intimidation or retaliatory acts against any individual for making such a complaint.
8. PR-8 Uses and Disclosures – General Rules and Organizational Requirements:
   - FIS, Inc. is permitted to use or disclose PHI: to the individual/personal representative; for services, payment, or health care operations; as permitted by a valid authorization; as required by policy or legal/government requirements; and to business associates who appropriately safeguard the information.
9. PR-9 Uses and Disclosures – Treatment, Payment or Health Care Operations:
   - FIS, Inc. shall use and disclose PHI for services, payment, or health care operations.

10. PR-10 Uses and Disclosures – Authorization Required:
    - FIS, Inc. shall not use or disclose PHI with a valid authorization executed by the Individual or the Personal Representative with Authority to Act for the Individual except in accordance with policies PR-9, PR-11, PR-12, and PR-13.
    - FIS, Inc. would need special written authorization to release PHI for such purposes as psychotherapy notes, marketing, sale of PHI, and testimonials.
    - An individual/personal representative may revoke an Authorization to Use or Disclose PHI at any time, in writing. Upon receipt of a written revocation, FIS, Inc. is to immediately stop making any use or disclosure of PHI previously permitted by that authorization.
11. PR-11 Uses and Disclosures – Requiring an Opportunity to Agree or Object:
    - FIS, Inc. client and/or client representatives may agree or object to sharing PHI.
12. PR-12 Uses and Disclosures – Authorization or Opportunity to Agree or Object Not Required:
    - Aside from aforementioned events, disclosures for purposes of mandatory reporting may occur.
13. PR-13 Uses and Disclosures – Other Requirements:
14. PR-14 Workforce Training:
    - All FIS, Inc. staff members are trained in HIPAA policies and agree to abide by those policies.
15. PR-15 Administrative, Technical and Physical Safeguards:
    - FIS, Inc. utilizes a secure portal for all client information. In addition, FIS, Inc. maintains liability cyber security coverage to increase risk mitigation in the event of a PHI breach.
16. PR-16 Privacy Rule Sanctions:
    - FIS, Inc. maintains careful vigilance regarding its oversight of PHI, implements policies and training with FIS, Inc. staff members and provides employee sanctions for misuse of PHI.
17. PR-17 Mitigation:
    - FIS, Inc. must mitigate, to the extent practicable, any harmful effects that are caused by use or disclosure of protected health information by its staff or its business associates in violation of the confidentiality policies and procedures or the Privacy Rule.
18. PR-18 Refrain from Intimidating or Retaliatory Acts:
    - FIS, Inc. will not engage in intimidation or retaliatory acts against any individual for making a complaint.