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North Sound Behavioral Health Organization

Section 2500 – Privacy: Right to Alternative Communication

Authorizing Source: 45 CFR 164.522(b) (HIPAA); 42 CFR Part 2 (Part 2); RCW 70.02

Cancels:

Approved by: Board of Directors

See Also:

Motion #: 03-013

Date: 4/14/2003

Responsible Staff: Privacy Officer

Executive Director's Signature:

Date: 3/6/2018

POLICY #2517.00

SUBJECT: RIGHT TO ALTERNATIVE COMMUNICATION

PURPOSE

In compliance with Health Insurance Portability and Accountability Act (HIPAA), Part 2 and Washington law, this policy sets out the conditions for accommodating a request for confidential communications by alternative means or to alternative locations.

Capitalized terms have specific meanings. Definitions in this policy include Authorized Representative, Individual and Protected Health Information (PHI). See Policy 2502.00: Definitions for Policies Governing PHI.

POLICY

North Sound Behavioral Health Organization (North Sound BHO) will permit, consider and accommodate a reasonable request by an Individual or the Individual's Authorized Representative (the "Requestor") for communications by alternative means or to alternative locations, if the Requestor clearly states the disclosure of all or part of the PHI could endanger the Individual. North Sound BHO will consider other reasonable requests for communications by alternative means or to alternative locations.

PROCEDURES

1. Requests

- 1.1 **Written Request.** North Sound BHO requires requests for alternative communications to be in writing. North Sound BHO prefers the use of its Request for Alternative Communication of PHI Form <http://northsoundbho.org/Forms> to document the alternative information and the approval but will accept other written requests.
- 1.2 **Privacy Officer.** Requests for alternative communications will be forwarded to the Privacy Officer.
- 1.3 **Verification.** The Privacy Officer will verify the identity of the Requestor as an Individual or an Authorized Representative. See Policy 2524.00: Verification of Identity.

2. **Explanations.** North Sound BHO may require a request contain a statement that disclosure of all or part of the PHI could endanger the Individual. North Sound BHO also may accommodate other reasonable requests. North Sound BHO notes a covered Health Care Provider may not ask the Requestor to explain why he or she wishes alternative communications.
3. **Determinations.** North Sound BHO will grant reasonable requests. Reasonableness will be judged by the administrative difficulty of complying with the request. Reasonable requests include, for example, leaving a voice message about an appointment on an Individual's cell phone voicemail rather than home voicemail.
4. **Conditions of Acceptance.** Reasonable accommodation of the request may be conditioned upon:
 - 4.1 **Payment Arrangements.** When appropriate, information as to how payment, if any, will be handled.
 - 4.2 **Method of Communication.** Specification by the Requestor of an alternative address or other method of communication.
5. **Informing Workforce.** The Privacy Officer will provide adequate notice of the granting of the request to those Workforce members and Business Associates/Qualified Service Organizations (QSOs) who may need to contact the Individual by flagging the record and, where possible, other client databases.
6. **Notice of Privacy Practices.** Notice of this right will be given to Individuals through North Sound BHO's notice of privacy practices. See Policy 2510: Notice of Privacy Practices.
7. **Documentation.** The Privacy Officer will document all requests, and documentation of all requests will be maintained for at least six (6) years from the date that the request was last in effect. Documentation retention requirements include:
 - 7.1 **Policies and procedures for alternative communications of PHI;**
 - 7.2 **Other policies and procedures to review that are related to this policy;**
 - 7.3 **Notice of privacy practices policy; and**
 - 7.4 **Documentation policy.**
8. **Related Policies.** Other policies and procedures to review that are related to this policy:
 - 8.1 **Policy 2501.00: Privacy and Confidentiality;**
 - 8.2 **Policy 2502.00: Definitions for Policies Governing PHI;**
 - 8.3 **Policy 2510.00: Notice of Privacy Practices; and**
 - 8.4 **Policy 2524.00: Verification of Identity.**

ATTACHMENTS

None