

STANDARD OPERATING PROCEDURE	
SUBJECT:	EMS Billing
TOPIC:	HIPAA: Prohibition of Waiving Rights
Reference Number:	EMS-06-011
Effective Date:	July 1, 2006
Date Last Reviewed:	
Signature of Approval:	Frank E. Wright, Fire & Rescue Chief

1.01 **PURPOSE:**

To prohibit requiring patients to waive their rights under the privacy regulations

1.02 **GENERAL:**

To stay within the guidelines of The Health Insurance Portability and Accountability Act (HIPAA) of 1996 to protect healthcare information obtained and safeguard the use of the Protected Health Information (PHI).

1.03 **RESPONSIBILITY:**

It is the responsibility of The Privacy Officer and Alternate Privacy Officer, to thoroughly train and familiarize WFRD members regarding HIPAA policies and procedures.

1.04 **POLICY:**

The Winchester Fire & Rescue Department (WFRD) shall not require patients to waive:

- Their right to file a complaint with the Secretary of the Department of Health and Human Services or any other enforcement agency regarding the WFRD's compliance with the Privacy Regulations.
- Any other rights under the Privacy Regulations as a condition of treatment or payment.

1.05 **PROCEDURE:**

- Any person with knowledge of a violation of this policy shall report the incident to the Privacy Officer or Alternate Privacy Officer.
- If the Privacy Officer or Alternate Privacy Officer receives a report of a violation of this policy, the Privacy Officer or Alternate Privacy Officer shall conduct an

investigation to determine if a violation has occurred. If the report is substantiated, HIPAA Disciplinary Sanction Procedures will be imposed.

1.06 **REFERENCES:**

HIPAA Privacy Regulations, 65 Federal Regulation 82563, 82748 (December 28, 2000).

1.07 **REVOCATION:**

1.08 **REVISION:**

