

Report on Patient Privacy Volume 18, Number 3. March 31, 2018 OCR Writing New Rules Governing NPPs, Provider-Family Discussions

By HCCA Staff

Providers who hate having to deal with notices of privacy practices (NPPs) and who feel stymied when talking to patients' families may soon be getting relief. The HHS Office for Civil Rights (OCR) is drafting two separate notices of proposed rule-making (NPRMs) that would alter requirements under existing rules governing these two basic HIPAA-related activities.

Information about OCR's efforts is found in a governmentwide listing of regulations under development called the Unified Agenda and Regulatory Plan. Typically updated twice a year, the Trump administration posted its first agenda, marked Fall, in December.

According to the unified agenda, which is posted on reginfo.gov, "The proposed (sic) rule would change the requirement that health care providers make a good faith effort to obtain from individuals a written acknowledgment of receipt of the provider's notice of privacy practices, and if not obtained, to document its good faith efforts and the reason the acknowledgment was not obtained."

The agency provided no additional information online about how the requirement would be changed. In response to RPP's request for clarification, OCR said it could not comment on agenda items. According to reginfo.gov, the NPRM is expected to be published in September.

NPPs typically run several pages long and the obligations related to them are many.

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