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| Subject: Privacy and Confidentiality | Effective Date:  Revised Date:  Revised Date:  Revised Date: |
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POLICY:

The patient has the right to personal privacy and confidentiality of his or her personal and clinical records.

GUIDELINES:

# Personal privacy includes accommodations, medical treatment, written and telephone communications, personal care, visits, and meetings of family and patient groups, but this does not require the facility to provide a private room for each patient.

# The program must respect the patient’s right to personal privacy, including the right to privacy in his/her oral (that is, spoken), written, and electronic communications, including the right to send and promptly receive unopened mail and other letters, packages and other materials delivered to the facility for the patient, including those delivered through a means other than a postal service.

# The patient may approve or refuse the release of personal and clinical records to any individual outside the facility.

## The patient’s right to refuse release of personal and clinical records does not apply when:

### The patient is transferred to another health care institution; or

### Record release is required by law.

# “Right to personal privacy” means that the patient has the right to privacy with whomever the patient wishes to be private and that this privacy should include both visual and auditory privacy. Private space may be created flexibly and need not be dedicated solely for visitation purposes.

# The facility must allow representatives of the Office of the State Long-Term Care Ombudsman to examine a patient's medical, social, and administrative records in accordance with State law.

PROCEDURE:

# As a part of the orientation process, patients, or their family members, significant and/or concerned others will be informed both orally and in writing of their rights by Care Management or designee.

# Staff will ensure that privacy is availed for visitation or meetings as requested. This may be arranged by using a dining area between meals, a vacant chapel, office, or room; or an activities area when activities are not in progress.

# Space for a private conversation over the telephone will be provided as requested by patients in semi-private rooms.

# Facility staff must examine and treat patients in a manner that maintains the privacy of their bodies.

## All staff members (nursing, housekeeping, dietary, therapists, pharmacist, and management) will knock on the door when entering a room and introduce themselves, as necessary.

## A patient must be granted privacy when going to the bathroom and in other activities of personal hygiene.

## If an individual requires assistance, authorized staff should respect the individual’s need for privacy.

## Only authorized staff directly involved in treatment should be present when treatments are given.

## People not involved in the care of the individual should not be present without the individual’s consent while he/she is being examined or treated.

## Staff should pull privacy curtains, close doors, or otherwise remove patients from public view and provide clothing or draping to prevent unnecessary exposure of body parts during the provision of personal care and services.

# HIPAA regulations, P&Ps regarding access to patient’s records will be adhered to for swing bed patients.