



**DEPARTMENT OF MENTAL HEALTH
POLICY/PROCEDURE**

SUBJECT: AMENDMENT OF PRIVACY PRACTICES AND POLICIES	POLICY NO. 500.10	EFFECTIVE DATE 04/14/03	PAGE 1 of 2
APPROVED BY:  Director	SUPERSEDES	ORIGINAL ISSUE DATE	DISTRIBUTION LEVEL(S) 1

PURPOSE

- 1.1 To outline the requirements for changes to the Department of Mental Health (DMH) Notice of Privacy Practices and amendment of its Privacy Policies.

POLICY

- 2.1 DMH will promptly change its privacy practices and amend its Privacy Policies as necessary and appropriate to comply with changes in the law, including the Privacy Regulations, or to accommodate changes in its structure or operations.
- 2.2 In its Notice of Privacy Practices DMH has reserved the right to change its privacy practices and amend its Privacy Policies. Therefore, any such changes or amendments will be effective for Protected Health Information (PHI) created or received by DMH prior to the effective date of the amendment.

PROCEDURES

- 3.1 Changes to Privacy Practices and Policies Addressed in the Notice of Privacy Practices.
 In order to effectuate changes to privacy practices and policies addressed in the Notice of Privacy Practices, DMH will:
 - 3.1.1 Ensure that the Privacy Policies, if revised to reflect a change in DMH's privacy practices, comply with the Privacy Regulations and applicable state laws that are not preempted.
 - 3.1.2 Revise DMH's Notice of Privacy Practices as required by § 164.520(b)(3) of the Privacy Regulations to state the changed practice and make the revised Notice available as required by § 164.520(c). DMH may not implement an amendment to a Privacy Policy addressed in the Notice of Privacy Practices prior to the effective date of the revised Notice.
 - 3.1.3 The Chief Information Privacy Officer shall review and approve all amendments before the changes are affective.
- 3.2 Amendments to Privacy Policies Not Addressed in the Notice of Privacy Practices.
 With the approval of the Chief Information Privacy Officer, DMH may amend a Privacy Policy that does not materially affect the content of its Notice of Privacy Practices. In order to effectuate such an amendment, DMH will:



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- 3.2.1 Ensure that the Privacy Policy, as amended, complies with the Privacy Regulations; and
- 3.2.2 Document the revised Privacy Policy, in written or electronic format, and retain such documentation for at least six (6) years.

DOCUMENT RETENTION

- 4.1 Document the revised Privacy Policy, in written or electronic format, and retain such documentation for at least six (6) years.

AUTHORITY

HIPAA, 45 CFR Sections 164 and 165