

MANUAL MATERIAL TRANSMISSION WV INCOME MAINTENANCE MANUAL

DATE:	April 15, 2005	CHANGE NUMBER:	359
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS		

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
9	1	7/03	9	1	4/15/05
10	1	3/05	10	1	3/05
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This change is being made to add a HIPAA requirement to the Intake Interview for Medicaid applications and redeterminations. Even though the Bureau for Children and Families has been exempted from HIPAA requirements, the agency believes that the client must still be informed of what the DHHR may and may not do with medical information.

In July, 2004 a memorandum was released from two State-level Privacy Officers. This is reprinted below to allow you to locate it easily.

A rearranged sentence was corrected for grammar only in Section 1.2,E. There is no policy change involved.

This change is effective April 15, 2005.

Questions should be directed to the DFA Economic Services Policy Unit. HIPAA questions should be directed to your Regional or State Privacy Officers.

ATTACHMENT 1 - IM Manual DW-17 for Change # 359

DATE: July 27, 2004

TO: Regional Directors
Community Services Managers
WV Works Supervisors

FROM: Ron Nestor, HIPAA Privacy Officer, Bureau for Children and Families
Ellen Cannon, HIPAA Privacy Officer, Bureau for Medical Services

SUBJECT: **Notice of Privacy Practices**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires that the WV Department of Health and Human Resources inform every Medicaid recipient's head of household of their privacy rights. The Notice of Privacy Practices (NOPP) was created to inform individuals of their privacy rights. Department policy states that the local office staff give the head of household an NOPP. This policy is being revised to more specifically outline this responsibility. Effective upon receipt of this memo, each new Medicaid recipient's head of household must be given an NOPP.

This policy has been in effect since April 2003. To assure that all households receive this notice, the following message will be included on the third flap of the August and September Medicaid cards:

***Do you know your privacy rights?** A Notice of Privacy Practices was sent to all Medicaid recipients in April 2003. Since then, the notice has been given to new recipients, but you may not have received one. Please contact your local DHHR office if you have not received a Notice of Privacy Practices and would like one. One will be mailed to you now. The Notice is also available on our Web page at www.wvdhhr.org/bms in "Your Guide to Medicaid."*

Please become familiar with the NOPP and print it for those who request it.

The Notice of Privacy Practices is available as described at the BMS site in the handbook, *Your Guide to Medicaid*. When viewing the handbook, you may print the entire 20-page booklet or you may print only pages 18-20. Print either the booklet or the Notice of Privacy Practices by selecting the booklet, then selecting the **Printer Friendly Version** of the booklet. Select the printer icon from the Acrobat reader tool bar just above the text.

To print the entire booklet to your local printer, click on **OK**. To print only the Notice of Privacy Practices, you change the Print Range from **All** to **Pages from**, type **18 to 20** and then click on **OK**. The NOPP form is also available on the Department's Intranet site at http://intranet.wvdhhr.org/bms/Curr_Projects/HIPAA/bmsi_hipaa_main.htm. To print this 4-page version, click on the printer icon beneath the title, **Bureau for Medical Services: Health Insurance Portability & Accountability Act (HIPAA)**, then choose **OK**.

The need to inform recipients of the Department's privacy practices is ongoing. BMS will keep the web page current for use with each new case approved. Please contact your regional HIPAA Liaison, Ron Nestor, or Ellen Cannon through GroupWise if you have questions about the Department's privacy practices.