



## Resource Guide

Subject:	Notice of Privacy
Facility Site Review Source:	Department of Health Care Services (DHCS) All Plan Letter 20-006, Site Reviews: Facility Site Review and Medical Record Review or any superseding APL
Relevant Law/Standard:	California Department of Health Care Services under Title 22, California Code of Regulations, Section 53230. (Requires the review and certification of Primary Care Practitioner (PCP) sites.) <a href="#">45 CFR 164.520(c)</a>
Agency/Organization Source:	
Agency/Organization URL	

**Background:**

The HIPAA Privacy Rule establishes national standards to protect individuals' medical records and other personal health information and applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically. The right to inspect, review and receive a copy of the medical records is covered by the Privacy Rule.

**Purpose:**

The HIPAA Privacy Rule requires a covered health care provider with direct treatment relationships with individuals to give the notice to every individual no later than the date of first service delivery to the individual and to make a good faith effort to obtain the individual's written acknowledgment of receipt of the notice. If the provider maintains an office or other physical site where she provides health care directly to individuals, the provider must also post the notice in the facility in a clear and prominent location where individuals are likely to see it, as well as make the notice available to those who ask for a copy. See [45 CFR 164.520\(c\)](#) for other notice provision requirements.

**References:**

Understanding Some of HIPAA's Permitted Uses and Disclosures

<https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/permitted-uses/index.html>

HHS offers model notices of privacy practices for both health care providers and health plans. These model notices are available for free download, in English and in Spanish, at:

<http://www.hhs.gov/hipaa/for-professionals/privacy/guidance/model-notices-privacy-practices>

The material in this document is a knowledge-sharing tool provided by the FSR team to enhance compliance with Facility Site Review requirements. All content is for informational purposes and may be used and/or modified according to site-specific practices. Ensure appropriate review and approval by site management prior to adoption.