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A Review of the 2013 NASW Sample HIPAA Privacy Forms

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Introduction

September 23, 2013 is the enforcement date for the 2013 changes to the HIPAA medical privacy regulations, issued by the U.S. Department of Health and Human Services in January (codified at *45 C.F.R. Part 160, Part 162, and Part 164*). The amended regulations address many aspects of the HIPAA requirements, as discussed in the article, *Social Workers and the 2013 Omnibus HIPAA Rule* (Morgan, S., 2013). Known as the Omnibus Rule, the 2013 HIPAA regulatory amendments expand patient and client privacy protections and clarify elements of the medical privacy, security and breach notification standards. As a result, health care entities covered by the HIPAA rules, including clinical social workers, will need to update and revise many of their compliance documents. NASW’s Legal Defense Fund has provided a basic set of online HIPAA privacy forms and office policies for use by members in meeting their regulatory responsibilities and these have been updated to take into account the new requirements. This article will review the sample documents (available at www.socialworkers.org/hipaa/sample.asp) and highlight key issues in adapting them for a clinical social worker’s practice.¹

To read the entire article, visit https://www.socialworkers.org/ldf/legal_issue/2013/sep2013.asp

¹ NASW’s Legal Defense Fund has provided online a set of sample HIPAA privacy forms and office policies. These basic documents are offered as a tool for NASW members; however, additional forms and policies may be needed depending on the practice setting and type of health or mental health organization in which a social worker practices. Specifically, these basic privacy forms do not address the additional requirements contained in the HIPAA Security Standards, such as a Security Risk Assessment and a HIPAA Security Plan (for more guidance on the Security Standards, see Morgan, S. and Polowy, C., 2005). Each social worker or other health care entity is independently responsible for compliance with HIPAA.