

**TO:** Local District Commissioners, Medicaid Directors

**FROM:** Judith Arnold, Director  
Division of Coverage and Enrollment

**SUBJECT:** Health Insurance Portability & Accountability Act (HIPAA) Privacy  
Notice Information

**EFFECTIVE DATE:** February 17, 2009

**CONTACT PERSON:** Local District Support:  
Upstate (518)474-8887 NYC (212)417-4500

The purpose of this GIS is to inform local social services districts of a change in the way Medicaid and Family Health Plus (FHP) recipients are provided information regarding the uses and disclosures of protected health information (PHI).

The Health Insurance Portability & Accountability Act (HIPAA) requires that recipients be periodically provided with adequate information regarding the use and disclosure of PHI.

New York State meets this requirement by including the HIPAA Privacy Notice with all Medicaid and FHP acceptance notices. Additionally, a mass mailing of the HIPAA Privacy Notice has been sent to all Medicaid and FHP heads of households, every three years.

Effective February 2009, the mass mailing was eliminated, except for the MA/SSI (Case Type 22) population. A shortened version of the HIPAA Privacy Notice will be included with all Medicaid and Temporary Assistance renewal letters that are generated through CNS by Upstate Districts. NYC will include the shortened version on all Medicaid and Temporary Assistance recertification notices and when an individual is added to an existing Medicaid or Temporary Assistance case. Renewal letters and notices generated after the February 17, 2009 migration will contain the shortened HIPAA Privacy Notice.

The shortened version of the HIPAA Privacy Notice will direct recipients who wish to obtain the full explanation of how PHI is used and their rights to restrict or limit disclosure of this information, to their local Department of Social Services or to the Department of Health website.

Local districts may print copies of the full length notice, when requested by a recipient, by accessing the attached link:

<http://nyhealth.gov/nysdoh/hipaa/notices.htm>

The Department will continue to send MA/SSI cases the HIPAA Privacy Notice once every three years.

Please direct any questions to the Local District Liaison Unit at 518-474-8887 Upstate and 212-417-4500 for NYC.