



Collection of Resources and Sample Forms

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For an electronic copy of this Collection of Resources and Sample Forms, including the "hot links" and formatted forms, please call or e-mail for Technical Assistance!

Last Updated: Mar. 16, 2006

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RESOURCES AND LINKS FOR MORE INFORMATION

RESOURCES RELATED TO PRIVACY, CONFIDENTIALITY & ETHICS:

The Federal AOD Confidentiality Rule, 42 C.F.R. Part 2:

http://www.access.gpo.gov/nara/C.F.R./waisidx_99/42C.F.R.v1_99.html, or
http://www.access.gpo.gov/nara/cfr/waisidx_04/42cfrv1_04.html

Click on Part 2 for a full collection of the 42 C.F.R. Part 2 regulations entitled "Confidentiality of alcohol and drug abuse patient records".

The HIPAA Privacy Rule, 45 C.F.R. Parts 160 & 164:

<http://www.hhs.gov/ocr/combinedregtext.pdf>

Although this document is marked "unofficial version," this is the complete privacy, security and enforcement (procedural) regulation text. The Office of the Federal Register publishes the official version of all Federal regulations in the Code of Federal Regulations (C.F.R.).

The Confidentiality of Alcohol and Drug Abuse Patient Records Regulation and the HIPAA Privacy Rule: Implications for Alcohol and Substance Abuse Programs

This document compares the Confidentiality of Alcohol and Drug Abuse Patient Records regulation (42 CFR Part 2) with the HIPAA Privacy Rule (45 CFR Parts 160 and 164). The comparison document is a summary that highlights the most significant areas in which the two federal regulations interact. It is targeted to programs that already comply with the "Part 2" regulations but require direction on how to integrate the Privacy Rule into their business and clinical processes. On or about May 28, 2004, this document was officially cleared by the U.S. Department of Health and Human Services. It is posted to the SAMHSA HIPAA website at <http://www.hipaa.samhsa.gov/privacyrule.htm>. This publication can be ordered through SAMHSA's National Clearinghouse for Alcohol and Drug Information (NCADI) at www.health.org or <http://ncadi.samhsa.gov>, using the NCADI Inventory Number PHD1083, or by calling the Toll Free Number: 1-800-729-6686.

The Office for Civil Rights' HIPAA Web Site

<http://www.hhs.gov/ocr/hipaa/>

OCR is responsible for the implementation and enforcement of HIPAA regulations within the Department of Health and Human Services (HHS). This Web site has a wealth of HIPAA-related information and links. Within this site, or at <http://www.hhs.gov/ocr/hipaa/assist.html>, you will find, among many other useful materials, a New OCR Summary of HIPAA Privacy Rule posted [RTF] | [PDF]; [View and Search Health Information Privacy Frequently Asked Questions \(FAQs\)](#) [this a very large, searchable database of FAQs]; [How to File a Health Information Privacy Complaint with the Office for Civil Rights](#); [OCR Guidance Explaining Significant Aspects of the Privacy Rule - December 4, 2002, Revised April 3, 2003](#) - where you

can search and or copy the complete guidance document (PDF - 165KB) (WP - 233KB) (RTF - 300KB), or the following individual sections:

- Introduction (PDF) (WP) (RTF)
- General Overview (PDF) (WP) (RTF)
- Incidental Uses and Disclosures (PDF) (WP) (RTF)
- Minimum Necessary (PDF) (WP) (RTF)
- Personal Representatives (PDF) (WP) (RTF)
- Business Associates (PDF) (WP) (RTF)
- Uses/Disclosures for Treatment, Payment, & Health Care Operations (PDF)(WP) (RTF)
- Marketing (PDF) (WP) (RTF)
- Public Health (PDF) (WP) (RTF)
- Research (PDF) (WP) (RTF)
- Workers' Compensation Laws (PDF) (WP) (RTF)
- Notice (PDF) (WP) (RTF)
- Government Access (PDF) (WP) (RTF)

**Substance Abuse and Mental Health Services Administration's (SAMHSA's)
HIPAA Web site:**

<http://www.samhsa.gov> (and go to Quick Picks, HIPAA)

SAMHSA's HIPAA Web site contains many useful links to tools and materials regarding privacy, electronic transactions, and security.

**The Office for Civil Rights' HIPAA Privacy Call Center ("HIPAA Hotline")
Toll Free Number: 1-866-627-7748**

This call center was set up by the Office for Civil Rights (OCR) to provide information and answer questions about the HIPAA. An automatic call center provides prompts to valuable information about various standards with respect to HIPAA, and a customer service representative can be requested where further information is needed.

**SAMHSA/CSAT's Confidentiality & Ethics Training Call Center
Toll Free Number: 1-866-447-2284**

As part of SAMHSA/CSAT's Confidentiality & Ethics Training (CET) Project, individualized technical assistance is available through its call center and e-mail service to all CET project trainees and those within their programs, with regard to questions pertaining to confidentiality and privacy issues, as well as questions regarding HIPAA's electronic and security standards. See CET training manual for appropriate staff e-mail addresses.

HIPAA Consumer Fact Sheets:

ORC has three Fact Sheets which provide an easy-to-understand overview of what the Privacy Rule means to consumers. They can be readily accessed from the "For Consumers" column on the OCR website, <http://www.hhs.gov/ocr/hipaa/>. The first Fact Sheet, entitled, "Privacy and

Your Health Information" is a general overview of the Rule, explaining that the Privacy Rule gives individuals rights over their health information, sets rules and limits on how information can be used and disclosed, and requires covered entities to take steps to protect health information. The second Fact Sheet, entitled, "Your Health Information Privacy Rights," focuses on each of the privacy rights individuals have under the Privacy Rule. The third Fact Sheet is entitled "Protecting the Privacy of Patients' Health Information" which provides a clear overview of the new HIPAA privacy regulations for consumers.

SAMHSA's National Clearinghouse for Alcohol and Drug Information (NCADI)

www.health.org or <http://ncadi.samhsa.gov>

Toll Free Number: 1-800-729-6686

The following Technical Assistance Publications (TAPs) and Treatment Improvement Protocol (TIPs) contain information regarding the Alcohol and Other Drug (AOD) Confidentiality Rule in 42 C.F.R. Part 2. [Note that these TAPs/TIPs do not address, and were published prior to, the HIPAA privacy provisions. They are, however, still relevant and pertinent to the application of the 42 CFR Part 2 regulations.] Web links are provided for the publications listed below that are available online. All listed publications are free and can be ordered by clicking the NCADI link at http://store.health.org/catalog/SC_Itemlist.aspx and using the NCADI Inventory Number listed below each respective publication.

Technical Assistance Publications (TAPs):

TAP 11: Treatment for Alcohol and Other Drug Abuse, Opportunities for Coordination
Chapter 11—Confidentiality
NCADI Inventory Number: PHD663
<http://sad.health.org/pub/AD29467.pdf>

TAP 13: Confidentiality of Patient Records for Alcohol and Other Drug Treatment
Chapter 1—Overview of the Federal Alcohol and Other Drug
Confidentiality Law and Regulations
Chapter 2—Confidentiality of Alcohol and Other Drug Treatment
Records and Communicable Disease: Options for Successful
Communication and Collaboration
NCADI Inventory Number: BKD156
<http://sad.health.org/pub/AD33026.pdf>

TAP 18: Checklist for Monitoring Alcohol and Other Drug Confidentiality
Compliance
Includes within Appendix B an article entitled
"Managed Care and Client Confidentiality"
NCADI Inventory Number: PHD722
<http://sad.health.org/pub/AD41421.pdf>
www.treatment.org/TAPS/TAP18/TAP18.html

TAP 21: Addiction Counseling Competencies: The Knowledge, Skills, and Attitudes of Professional Practice

Section 2, VIII, entitled “Professional and Ethical Responsibilities”

Currently Under Revision

NCADI Inventory Number: BKD246

www.treatment.org/taps/tap21/TAP21Toc.html

<http://sad.health.org/pub/AD48049.pdf>

TAP 22: Contracting for Managed Substance Abuse and Mental Health Services: A Guide for Public Purchasers

Chapter V—The Management Information System, Subsection E entitled “Confidentiality Considerations”

Chapter VIII—Consumer Protections, Section A regarding Managed Care Consumers’ Rights, Subsection 2 entitled “Confidentiality”

NCADI Inventory Number: BKD252

www.treatment.org/taps/tap22/TAP22TOC.htm

TAP 24: Welfare Reform and Substance Abuse Treatment Confidentiality: General Guidance for Reconciling Need to Know and Privacy

NCADI Inventory Number: BKD336

www.treatment.org/Taps/Tap24.pdf

TAP 26: Identifying Substance Abuse Among TANF-Eligible Families

Appendix F, Sample Consent/Confidentiality Forms

NCADI Inventory Number: BKD410

TAP 27: Navigating the Pathways: Lessons and Promising Practices in Linking Alcohol and Drug Services With Child Welfare

Chapter XII, Lessons from the Case Studies, Section regarding “Information Sharing and Data Systems”, entitled “Confidentiality”

NCADI Inventory Number: BKD436

Treatment Improvement Protocol (TIPs):

TIP 3: Screening and Assessment of Alcohol - and Other Drug – Abusing Adolescents (Being replaced by TIP31)

-- Chapter 4—Legal Issues in the Screening and Assessment of Adolescents

<http://sad.health.org/pub/AD15141.pdf>

TIP 5: Improving Treatment for Drug-Exposed Infants

Chapter 5—Ethical and Legal Guidelines

Chapter 6—Quality Assurance Guidelines

NCADI Inventory Number: BKD110

<http://sad.health.org/pub/AD19307.pdf>

www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.24127

- TIP 6: Screening for Infectious Diseases Among Substance Abusers
 Chapter 3—Legal and Ethical Issues
 NCADI Inventory Number: BKD131
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.25461
- TIP 7: Screening and Assessment for Alcohol and Other Drug Abuse Among Adults in the Criminal Justice System
 (Being replaced by TIP 44)
 -- Chapter 3—Screening, Assessment, and Readiness for Treatment, section entitled “Confidentiality and Client Consent”
 -- Chapter 6—Legal and Ethical Issues
<http://sad.health.org/pub/AD31156.pdf>
- TIP 8: Intensive Outpatient Treatment for Alcohol and Other Drug Abuse
 Chapter 7—Legal Issues for IOT Programs
 NCADI Inventory Number: BKD139
<http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=search&DB=books> (Type in the title able in black after Search books for)
- TIP 11: Simple Screening Instruments for Outreach for Alcohol And Other Drug Abuse And Infectious Diseases
 Chapter 5—Legal Issues Surrounding Client Confidentiality
 NCADI Inventory Number: BKD143
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.32939
- TIP 13: The Role and Current Status of Patient Placement Criteria in The Treatment of Substance Use Disorders
 Chapter 7—Ethical and Legal Issues
 NCADI Inventory Number: BKD161
<http://sad.health.org/pub/AD34559.pdf>
- TIP 17: Planning for Alcohol And Other Drug Abuse Treatment for Adults in the Criminal Justice System
 (Being replaced by TIP 44)
 -- Chapter 8—Confidentiality Issues
<http://sad.health.org/pub/AD36451.pdf>
- TIP 18: The Tuberculosis Epidemic: Legal and Ethical Issues for Alcohol and Other Drug Abuse Treatment Providers
 Chapter 4—AOD Programs and Public Health: Joining Together To Fight the Spread of TB
 Appendix C—Sample Forms
 NCADI Inventory Number: BKD173
<http://sad.health.org/pub/AD37443.pdf>
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.38602

- TIP 19: Detoxification From Alcohol And Other Drugs
Appendix E—Legal and Ethical Issues for Detoxification Programs
NCADI Inventory Number: BKD1172
<http://sad.health.org/pub/AD37217.pdf>
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.39784
- TIP 23: Treatment Drug Courts: Integrating Substance Abuse With Legal Case Processing
Chapter 8—Legal and Ethical Issues
NCADI Inventory Number: BKD205
<http://sad.health.org/pub/AD41859.pdf>
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.44270
- TIP 24: A Guide to Substance Abuse Services for Primary Care Clinicians
Chapter 5—Specialized Substance Abuse Treatment Programs, section entitled “Confidentiality”
Appendix B—Legal and Ethical Issues
NCADI Inventory Number: BKD234
<http://sad.health.org/pub/AD46267.pdf>
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.45293
- TIP 25: Substance Abuse Treatment and Domestic Violence
Chapter 5—Legal Issues, section entitled “Other Legal Issues”
NCADI Inventory Number: BKD239
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.46712
- TIP 26: Substance Abuse Among Older Adults
Appendix A—Legal and Ethical Issues
NCADI Inventory Number: BKD250
<http://sad.health.org/pub/AD48053.pdf>
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.48302
- TIP 30: Continuity of Offender Treatment For Substance Use Disorders From Institution to Community
Chapter 4—Administrative Guidelines, section entitled “Confidentiality Issues”
NCADI Inventory Number: BKD304
<http://www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.53792>
- TIP 31: Screening and Assessing Adolescents for Substance Use Disorders
(Replaces TIP 3)
Chapter 4—Legal Issues in the Screening and Assessment of Adolescents
NCADI Inventory Number: BKD306
<http://sad.health.org/pub/AD51478.pdf>
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.54841

- TIP 32: Treatment of Adolescents With Substance Use Disorders
(Replaces TIP 3)
Chapter 8—Legal and Ethical Issues
NCADI Inventory Number: BKD307
<http://sad.health.org/pub/AD51482.pdf>
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.56031
- TIP 36: Substance Abuse Treatment for Persons With Child Abuse and Neglect Issues
Chapter 6—Legal Responsibilities and Recourse
Appendix B—Protecting Clients' Privacy
NCADI Inventory Number: BKD343
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.63145
- TIP 37: Substance Abuse Treatment for Persons With HIV/AIDS
Chapter 8—Ethical Issues
Chapter 9—Legal Issues
NCADI Inventory Number: BKD359
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.64746
- TIP 38: Integrating Substance Abuse Treatment and Vocational Services
Chapter 7—Legal Issues
NCADI Inventory Number: BKD381
www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.68228
- TIP 40 Use of Buprenorphine in the Treatment of Opioid Addiction
Chapter 6—Policies and Procedures
Section entitled "Confidentiality and Privacy"
NCADI Inventory Number: BKD500
<http://www.ncbi.nlm.nih.gov/books/bv.fcgi?rid=hstat5.chapter.72248>
- TIP 41 Substance Abuse Treatment: Group Therapy
Chapter 4—Group Development and Phase Specific Tasks
Section entitled "Confidentiality"
Chapter 6—Group Leadership, Concepts, and Techniques
Section entitled "Confidentiality"
Chapter 7—Training and Supervision
Section entitled "Legal Issues"
NCADI Inventory Number: BKD507
<http://media.shs.net/prevline/pdfs/bkd507.pdf>
- TIP 42: Substance Abuse Treatment for Persons with Co-Occurring Disorders
(Replaces TIP 9)
Appendix K—Confidentiality
NCADI Inventory Number: BKD515
<http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=search&DB=Books> (Type in the title able in black after Search books for)

TIP 43: Medication-Assisted Treatment for Opioid Addiction in Opioid Treatment Programs

(Replaces TIP 1, TIP 10, TIP 20 and TIP 22)

Appendix D—Ethical Considerations in MAT

NCADI Inventory Number: BKD524

ncadi.samhsa.gov/media/Prevline/pdfs/bkd524.pdf

TIP 44: Substance Abuse Treatment for Adults in the Criminal Justice System

(Replaces TIP 7, TIP 12 and TIP 17)

Chapter 8—Treatment Issues Specific to Jail's

Section entitled "Confidentiality" and

Section entitled "Promote Understanding of Institutional Security Rules and Confidentiality Requirements"

Chapter 10—Treatment for Offenders Under Community Supervision

Section Entitled "Information-Sharing and Confidentiality Issues"

NCADI Inventory Number: BKD526

ncadi.samhsa.gov/media/Prevline/pdfs/bkd526.pdf

Federal Confidentiality Laws and How They Affect Drug Court Practitioners

Judge Jeffrey Tauber, Director, et al. (National Drug Court Institute), April, 1999.

<http://www.ndci.org/admin/docs/confid.pdf>

Practical Guide to Applying Federal Confidentiality Laws to Drug Court Operations

<http://spa.american.edu/justice/publications/Confidentiality.pdf>

Center for the Study of Ethics in Professions

Illinois Institute of Technology

<http://ethics.iit.edu/codes/index.html>

This Web site includes a compilation of ethical standards and principles for a variety of different professions in the healthcare field.

U.S. Department of Health and Human Services (HHS)

<http://www.hhs.gov>

This is the HHS homepage. If you search "HIPAA", you will obtain a variety of HIPAA-related links and materials.

The HIPAA Privacy Rule and Research

<http://privacyruleandresearch.nih.gov/>

This Web site has been developed to provide the research community with information about the HIPAA Privacy Rule and how it might affect research. *Protecting Personal Health Information in Research: Understanding the HIPAA Privacy Rule*, a booklet discussing how provisions of the privacy rule may affect research, is now available. Additional companion pieces to the

booklet that will address the possible effects of the privacy rule on specific types of research activities are under development and will be available soon through this Web site.

**Health Privacy Project, Institute for Health Care Research and Policy,
Georgetown University**

<http://www.healthprivacy.org/>

Within this Web site is a link to State law, which compiles a summary of existing confidentiality and privacy laws within each State and includes relevant citations. This Web site also includes a summary of the HIPAA Privacy Rule. Recently, this Web site also added a document entitled "Myths and Facts About the HIPAA Privacy Rule", which can be found at http://www.healthprivacy.org/info-url_nocat2303/info-url_nocat_show.htm?doc_id=173435.

Certificates of Confidentiality for Health Research Projects

<http://grants.nih.gov/grants/policy/coc/index.htm>

**OTHER RESOURCES RELATED TO HIPAA TRANSACTION,
CODESET & IDENTIFIER (TCI) STANDARDS:**

All health care providers can apply for their National Provider Identifier (NPI)!

Starting May 23, 2005, all health care providers can apply for their National Provider Identifier (NPI). The NPI will replace health care provider identifiers in use today in standard health care transactions. The health plans with whom you do business will instruct you as to when you may begin using the NPI in standard transactions. All HIPAA covered entities except small health plans must begin using the NPI on May 23, 2007; small health plans have until May 23, 2008. For additional information, and to complete an application, visit <https://nppes.cms.hhs.gov> on the web.

Also, an instructional web tool, called the NPI Viewlet, is now available for viewing at <http://www.cms.hhs.gov/medlearn/npi/npiviewlet.asp> and under "HIPAA Latest News" at www.cms.hhs.gov/hipaa/hipaa2 on the CMS website. This tool provides an overview of the NPI, a walkthrough of the application, as well as live links to the NPPES website where the learner can apply for an NPI. This tool is designed for all health care providers. In the near future, you will also be able to access the viewlet at <https://nppes.cms.hhs.gov> on the web.

Centers for Medicare and Medicaid Services (CMS) HIPAA Home Site

<http://www.cms.hhs.gov/hipaa/hipaa2/default.asp>

Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services (HHS)

<http://aspe.hhs.gov/admsimp/>

WEDI Strategic National Implementation Process (SNIP)

<http://snip.wedi.org>

This Web site is the Workgroup for Electronic Data Interchange (WEDI) Strategic National Implementation Process (SNIP) home page, providing links to several good HIPAA resources.

Implementing the HIPAA Regulations: A Readiness Workshop for the Small/Rural Provider

<http://www.wedi.org/snip/public/articles/WhoWhatWhenAboutHIPAA.ppt>

This PowerPoint presentation, published by the Workgroup for Electronic Data Interchange (WEDI) and CMS, provides guidance on the implementation of TCI standards. This is a big file and may require a few minutes to download.

CAQH-WEDI Health Plan Transaction Status

<http://www.wedi.org/snip/public/articles/index.cfm?fuseaction=archive&owner=snip>

This Web site, created by the Council for Affordable Quality Healthcare (CAQH) and the Workgroup for Electronic Data Interchange (WEDI), is a resource for information on health plan electronic in transaction.

Physician Practice Management System Directory

<http://www.hipaa.org/pmsdirectory>

HIPAA LISTSERVS & INSTRUCTIONS TO SUBSCRIBE

OCR's HIPAA Listserv:

The HHS Office for Civil Rights (OCR), which is responsible for implementation of the HIPAA Privacy Rule, has announced the creation of a listserv to distribute announcements, notices of available resources, and other educational information about the HIPAA Privacy Rule.

To subscribe, please follow the attached link, or cut and paste the following URL address into your browser window: <http://list.nih.gov/cgi-bin/wa?SUBED1=ocr-privacy-list>, or you may go to <http://list.nih.gov/> and under browse, select OCR-PRIVACY-LIST. These instructions can also be found on the OCR website at <http://www.hhs.gov/ocr/hipaa/listserv.html>.

SAMHSA's HIPAA Listserv:

SAMHSA also has a HIPAA listserv. Follow the steps below to subscribe to the SAMHSA HIPAA Listserv:

1. Email a message from the e-mail account you wish to receive listserv messages to majordomo@new-bold.com.
2. In the body of the message, type: subscribe samhsa-hipaa.
3. New subscribers will receive a return e-mail with an authorization code. Reply to majordomo@new-bold.com with that code in the body of the message. Do not include any extra characters before or after that particular line of text.

If you have any questions or problems, please call for Technical Assistance and, if necessary, we will put you in touch with SAMHSA's listserv coordinator to address any technical problems or issues in this regard.