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Best Practices: Develop and Maintain a Notice to Individuals

Reference: SCHIEEx Policy Manual, Section 6

It is the responsibility of the Participant to develop and maintain a Notice to Individuals so that patients understand that their information may be exchanged with other providers participating in SCHIEEx via the SCHIEEx Exchange.

The SCHIEEx Notice may be developed in one of two ways. A Participant may:

- modify their organization's Notice of Privacy Practices; or
- create a separate SCHIEEx Notice that may be given to patients.

If the Participant chooses to use a separate SCHIEEx Notice, it is to be given to each patient at their first encounter or on their first encounter once the Participant has onboarded to SCHIEEx. The SCHIEEx Notice can be given to the patient on the same schedule as the organization's Notice of Privacy Practices and follow the same work flow as the consent to treat.

The SCHIEEx Notice must clearly communicate health information using plain language while including required content. The required content is listed in the Policy Manual, Section 6b. Plain language can be accomplished if the Participant makes a reasonable effort to:

- Organize the material in a logical manner.
- Divide the material into short sections.
- Write short sentences in the active voice, using "you" and other pronouns.
- Use common, everyday words in sentences.
- Use an easy-to-read font and font size.

The Participant should consider providing additional solutions to reaching non-English speaking or illiterate patients.

Sample language for SCHIEEx Notice is available here: <http://www.schiex.org/implementation.php>

A patient's signature, or the signature of the patient's guardian, must be obtained. The signature can be stored in any form (paper form or electronically); obtaining a patient's signature on an electronic signature pad is acceptable.

Patient signatures must be retained; this is for the protection of the Participant, the patient and SCHIEx.

It is important that the staff understand the information contained in the SCHIEx Notice so they may be able to clearly communicate the information to the patient in the event the patient needs clarification or has questions.

The distribution of the Notice is addressed in the document *Best Practices: Policies and procedures governing the distribution of the Notice to Individuals*.