

*Issuing Department:* Internal Audit, Compliance, and  
Enterprise Risk Management

*Effective/Reissue Date:* 10/5/2016  
*Current Version:* 4/1/2024

**HIPAA Privacy Policies and Procedures  
Definitions**

• Authorization: a patient's written



- **Limited Data Set:** a set of data in which most of the personal identifiers have been removed. Certain identifiers must be removed for a data set to be considered a Limited Data Set.
- **Marketing:** any oral or written communications with a patient about a product or service that encourages the patient to purchase or use that product or service. Marketing may also include the provision of patient information to another organization so that it may market its own products and services if NYU Langone Health receives direct or indirect Remuneration for providing the organization with this patient information. Marketing does not include communications that are made to describe a health related product or service provided by NYU Langone Health for Treatment purposes, case management, or care coordination purposes.
- **Medical Center Information Technology or MCIT:** The information technology department for NYU Langone Health. MCIT is responsible for overseeing NYU Langone Health compliance with the security rule regulations and implementing security safeguards in conjunction with IACERM.
- **NYU Langone Health:** as referenced within these policies includes the NYU Langone Health System, NYU Langone Hospitals (e.g., Tisch Hospital, NYU Langone Hospital-Brooklyn, NYU Langone Orthopedic Hospital, NYU Hospital – Long Island, New York State Article 28 locations), NYU Grossman School of Medicine, NYU Grossman Long Island School of Medicine, NYU Langone Health Home Care , the Sunset Park Health Council (i.e., the Family Health Centers at NYU Langone Health), the Southwest Brooklyn Dental Practice, and any entity controlled by any of them except were specifically excluded.
- **Payment:** the activities undertaken by NYU Langone Health to obtain or provide reimbursement for health care services it has provided. This includes billing, collection activities, and billing review activities.
- **Patient Directory:** the list of patients who are admitted to the Hospital, registered for an interventional procedure at an Article 28 outpatient space, or in the Emergency Department. This list is generated by NYU Langone Health’s electronic health record system. An interventional procedure is any procedure requiring sedation or anesthesia, not including local anesthesia, including but not limited to the following procedures: endoscopy, catheterization, and interventional radiology.
- **Personal Representative:** a person who may legally act with authority on behalf of another person in making decisions about health care. In New York State, this is a health care surrogate under the Family Health Care Decision Act or a health care -8 (a)-4 (1470.04(i)-2 )-2 (oc)4 (s

- **Privacy Officer:** refers to the NYU Langone Health designated HIPAA Privacy Officer, who is responsible for overseeing compliance with HIPAA policies and procedures. The Privacy Officer is a member of the Office of Internal Audit, Compliance, and Enterprise Risk Management.
- **Protected Health Information or PHI:** any individually identifiable health information (including demographic information) created, maintained, received, or transmitted by NYU Langone Health that relates to health status, provision of health care or payment for health care and identifies the individual or there is a reasonable basis to believe it can be used to identify the individual. PHI does not include employment records that a covered entity maintains in its capacity as an employer and education and certain other records subject to the Family Rights and Privacy Act (20 U.S.C. §1232g).
- **Psychotherapy Notes:** are notes by a mental health professional that (1) document or analyze the contents of a conversation during a private counseling session, or during a group, joint, or family counseling session, *and* (2) that are maintained separately from the patient's general medical record. If a mental health professional's notes are for any reason placed in the patient's general medical record, they are no longer Psychotherapy Notes. Psychotherapy Notes do not include medication related information, session start and stop times, and any summary of diagnosis, treatment plan, symptoms, and prognosis.
- **Remuneration:** direct or indirect payment that flows from or on behalf of a third party whose product or service is being described. It does not include payment for the Treatment of an individual. For marketing purposes, remuneration does not include non-financial or in-kind benefits. For sale of Protected Health Information purposes, remuneration does include non-financial or in-kind benefits.
- **Research:** a systemic investigation, including Research development, testing, and

**Related Documents**

All HIPAA Privacy Policies and Procedures

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This version supersedes all NYU Langone Health (as defined in this Policy) previous policies, including but not limited to NYU Hospitals Center, New York University School of Medicine, Lutheran Medical Center, and Winthrop University Hospital.