

Instructions for Obtaining Consent for TPO Purposes

Applicable to all Institutions Operated by DMH/DD/SAS

1. CLIENTS ADMITTED ON OR AFTER 4/14/03

- 1) Begin using the attached Consent for TPO form and separate Assignment of Benefits/Medicare Certification form for all clients admitted on or after 4/14/03.
- 2) If a client/personal representative refuses to sign the Consent for TPO and/or Assignment of Benefits/Medicare Certification forms, Patient Relations Representatives should place the client on Self Pay with full charges and list the client or the client's personal representative (if applicable) as the Guarantor.
- 3) If a client/personal representative refuses to sign the Consent for TPO form, the institution may disclose treatment and health care operation information only as allowed in its *Notice of Privacy Practices*. For example, disclosures to DSS for community placement or disclosures to a non-referring physician cannot be made. Institutions need to develop a process to inform staff of the disclosure limitations.

2. CLIENTS ADMITTED BEFORE 4/14/03

- 1) For payment purposes, the combined Assignment of Benefits/Medicare Certification/Release of Confidential Information form is acceptable. The new Assignment of Benefits/Medicare Certification form does not need to be signed.
- 2) For disclosures made for treatment and health care operation purposes, if there is not an existing consent or authorization on file that covers these types of disclosures, institutions need to obtain the new consent. Until such time the new consent can be obtained, the institution may disclose treatment and health care operation information only as allowed in its *Notice of Privacy Practices*. For example, disclosures to DSS for community placement or disclosures to a non-referring physician cannot be made. Institutions need to develop a means to inform staff of the disclosure limitations.
- 3) It is recommended that institutions obtain the new Consent for TPO for all long term clients. This could be done during the client's annual review if not needed sooner.

NOTE: *The Consent form DOES NOT address disclosures to family/friends. An authorization is required for such disclosures. Refer to G.S. 122C-55.*