



Patient Rights and Responsibilities #1660.175

INITIAL EFFECTIVE DATE:	LAST REVISION DATE:	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT
November 7, 2023	August 11, 2025	Office of Compliance and Integrity

POLICY STATEMENT

Florida International University (“FIU”) is committed to protecting the privacy of Protected Health Information in compliance with all applicable federal and Florida state laws, regulations and rules. For purposes of compliance with the Health Insurance Portability and Accountability Act (HIPAA), FIU has determined that it is a “Hybrid Covered Entity” and has designated the facilities and programs that constitute HIPAA Hybrid Components.

It is the policy of Florida International University (FIU) to promote the interests and well-being of the patients of FIU’s Health Insurance Portability and Accountability Act (HIPAA) Hybrid Designated Health Care Components (facilities and programs) and to promote better communication between the patient and the health care provider.

It is the intent of the Florida Legislature and FIU policy that FIU healthcare providers understand their responsibility to give their patients a general understanding of the procedures to be performed on them and to provide information pertaining to their health care so that they may make decisions in an informed manner after considering the information relating to their condition, the available treatment alternatives, and substantial risks and hazards inherent in the treatments. It is the intent of the Florida Legislature and FIU policy that patients have a general understanding of their responsibilities toward the FIU healthcare providers, the Workforce members, and facilities and programs. It is the intent of the Florida Legislature and FIU policy that the provision of such information to a patient eliminates potential misunderstandings between patients, healthcare providers and Workforce members.

It is a public policy of the Florida Legislature and FIU that the interests of patients be recognized in a Patient's Bill of Rights and Responsibilities and that a healthcare facility, program or healthcare provider may not require a patient to waive his or her rights as a condition of treatment. Accordingly, the facilities and programs that provide outpatient services and care to a patient, or admits and treats a patient, shall adopt and make available to the patient, in writing, a statement of the rights and responsibilities of patients, including the following:

SUMMARY OF THE FLORIDA PATIENT'S BILL OF RIGHTS AND RESPONSIBILITIES

Florida law requires that your healthcare provider or healthcare facility recognize your rights while you are receiving medical care and that you respect the healthcare provider's or healthcare facility's right to expect certain behavior on the part of patients. You may request a copy of the full text of this law from your healthcare provider or healthcare facility. A summary of your rights and responsibilities follows:

Patient Rights:

- A patient has the right to be treated with courtesy and respect, with appreciation of his or her individual dignity, and with protection of his or her need for privacy.
- A patient has the right to a prompt and reasonable response to questions and requests.
- A patient has the right to know who is providing medical services and who is responsible for his or her care.
- A patient has the right to know what patient support services are available, including whether an interpreter is available if he or she does not speak English.
- A patient has the right to know what rules and regulations apply to his or her conduct.
- A patient has the right to be given by the health care provider information concerning diagnosis, planned course of treatment, alternatives, risks, and prognosis.
- A patient has the right to refuse any treatment, except as otherwise provided by law.
- A patient has the right to be given, upon request, full information and necessary counseling on the availability of known financial resources for his or her care.
- A patient who is eligible for Medicare has the right to know, upon request and in advance of treatment, whether the health care provider or health care facility accepts the Medicare assignment rate.
- A patient has the right to receive, upon request, prior to treatment, a reasonable estimate of charges for medical care.
- A patient has the right to receive a copy of a reasonably clear and understandable, itemized bill and, upon request, to have the charges explained.
- A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.

- A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide treatment.
- A patient has the right to know if medical treatment is for purposes of experimental research and to give his or her consent or refusal to participate in such experimental research.
- A patient has the right to express grievances regarding any violation of his or her rights, as stated in Florida law, through the grievance procedure of the health care provider or health care facility which served him or her and to the appropriate state licensing agency.

Patient Responsibilities:

- A patient is responsible for providing to the health care provider, to the best of his or her knowledge, accurate and complete information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to his or her health.
- A patient is responsible for reporting unexpected changes in his or her condition to the health care provider.
- A patient is responsible for reporting to the health care provider whether he or she comprehends a contemplated course of action and what is expected of him or her.
- A patient is responsible for following the treatment plan recommended by the health care provider.
- A patient is responsible for keeping appointments and, when he or she is unable to do so for any reason, for notifying the health care provider or health care facility.
- A patient is responsible for his or her actions if he or she refuses treatment or does not follow the health care provider's instructions.
- A patient is responsible for assuring that the financial obligations of his or her health care are fulfilled as promptly as possible.
- A patient is responsible for following health care facility rules and regulations affecting patient care and conduct.

It is FIU's policy to comply fully with the Florida Patient's Bill of Rights and Responsibilities, HIPAA, and Florida state statutes. To that end, all FIU facility and program Workforce members shall receive mandatory patient rights and responsibility training, HIPAA Privacy and Security Rule training, as well as Florida state statute training in support of FIU's commitment to the proper use, disclosure, and safeguarding of PHI/ePHI and patient rights and responsibilities.

Workforce members who fail to adhere to this policy and procedure may be subject to civil and criminal penalties as provided by law, and/or administrative and disciplinary action, including, but not limited to termination of employment or expulsion. Violations will be



handled through FIU disciplinary policies applicable to employees and students. FIU may also refer suspected violations of applicable law to appropriate law enforcement agencies. (See FIU Policy and Procedure #1660.085) (Sanctions)

FIU reserves the right to amend, change or terminate this policy and procedure at any time, either prospectively or retroactively, without notice. This policy and procedure will also change should it become necessary and appropriate to comply with changes in federal and Florida state statutes, including the standards, requirements, and implementation specifications of HIPAA and Florida state statutes. This policy and procedure are designed to be implemented in conjunction with a set of comprehensive privacy policies and procedures, and any ambiguities between this policy and procedure and the other policies and procedures should be harmonized consistent with the requirements of HIPAA, federal law, and Florida state statutes.

SCOPE

The policy applies to FIU’s HIPAA Healthcare Components (facilities and programs) contained within FIU’s HIPAA Hybrid Designations (FIU Policy and procedure #1610.005), the healthcare providers, Workforce members and Patients as defined in this policy.

REASON FOR POLICY

To delineate the relative rights and responsibilities of the patients, facilities and programs, healthcare providers, and Workforce members as defined in this policy.

DEFINITIONS

Please refer to the following link for a complete list of definitions pertaining to all HIPAA policies.

[HIPAA Policies Definitions](#)

ROLES AND RESPONSIBILITIES

Compliance Oversight: The Director of Compliance and Privacy for Health Affairs:

- Evaluates all federal and state healthcare privacy laws, regulations, rules and ordinances (Rules) to ensure compliance with the Rules.
- Develops and maintains all required University-wide Privacy Rule policies and procedures.
- Develops and maintains HIPAA health care Privacy Rule training modules.

- Performs audits and assessments of the facilities and programs to ensure their compliance with the Privacy Rules and associated FIU Policies and Procedures.
- Partners with the Division of Information Technology HIPAA Security Officer to ensure compliance with all federal and state healthcare privacy and security laws, regulations rules, and ordinances.

HIPAA Components:

- Each FIU HIPAA Hybrid Designated Component (facility and program) must designate a Privacy Coordinator responsible for overseeing and ensuring the facility's or program's implementation and compliance with the HIPAA Privacy Rule, FIU's associated HIPAA Privacy Policies and Procedures, and any applicable Florida state laws and/or regulations governing the confidentiality, integrity and availability of PHI and electronic PHI (ePHI), including, but not limited to ensuring the healthcare providers, Workforce members, and patients comply with the Patient's Bill of Rights and Responsibilities.

RELATED RESOURCES

References

- 45 CFR §164.502
- 45 CFR §164.530
- Florida Statute §95.11
- Florida Statute §381.026 (Florida Patient's Bill of Rights and Responsibilities)
- Florida Statute §456.41
- Florida Statute §456.057
- Florida Statute §766.103

Related Policies

- FIU Policy # 1610.005 (Designation of HIPAA Health Care Components for FIU Community)
- FIU Policy and Procedure #1640.015 (Providing Notice of Privacy Practices)
- FIU Procedure #1660.001 (Representatives)
- FIU Policy and Procedure #1660.005 (Right of Patients to Request Confidential Communications Regarding the Use and Disclosure of Their Protected Health Information)
- FIU Policy and Procedure #1660.045 (Right of Patients to Request Restrictions Regarding the Use and Disclosure of Their Protected Health Information)
- FIU Policy and Procedure #1660.050 (Patient Access to Protected Health Information)
- FIU Policy and Procedure #1660.055 (Amendment of Protected Health Information)



- FIU Policy and Procedure #1660.060 (Accounting of Disclosures of Protected Health Information)
- FIU Policy and Procedure #1660.065 (Complaints Under the HIPAA Privacy Rule, Mitigation, Refraining From Intimidating or Retaliatory Acts, and Waiver)
- FIU Policy and Procedure #1660.070 (Designation of HIPAA Privacy Officer and Component Privacy and Security Coordinators)
- FIU Policy and Procedure #1660.080 (Policies and Procedures, Changes to Policies and Procedures, and Documentation)
- FIU Policy and Procedure #1660.085 (Sanctions)

CONTACTS

For further information concerning this policy, please contact the Director of Compliance and Privacy for Health Affairs at (305) 348-0622 or hipaaprivacy@fiu.edu, or contact the appropriate Component Privacy Coordinator.

HISTORY

Initial Effective Date: November 7, 2023

Review Dates (Review performed, no updates): N/A

Revision Dates: November 7, 2023; August 11, 2025.



Patient Rights and Responsibilities #1660.175a

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PROCEDURE STATEMENT

I. Florida Patient’s Bill of Rights and Responsibilities

Each Component (facility and program) must designate a Privacy Coordinator responsible for overseeing and ensuring the facility’s or program’s implementation and compliance with the HIPAA Privacy Rule, FIU’s associated HIPAA Privacy Policies and Procedures, and any applicable Florida state statutes, laws and/or regulations governing the confidentiality, integrity and availability of PHI and electronic PHI (ePHI), including, but not limited to ensuring Workforce members and the facility or program comply with the Florida Patient’s Bill of Rights and Responsibilities. The Privacy Coordinators may delegate and share duties and responsibilities as necessary and appropriate but retain oversight responsibility.

The facilities, programs, and the healthcare providers shall observe the following patient rights as identified in the Florida Patient’s Bill of Rights and Responsibilities, the HIPAA Privacy Rule, and Florida state statutes:

- A. The facility or program Privacy Coordinator, or designee must post a copy of the Patient’s Bill of Rights and Responsibilities in the common areas of the facility or program where individuals are likely to gather and paper copies of the same shall be made available to individuals upon request.
- B. The Patient’s Bill of Rights and Responsibilities shall include the rights and responsibilities as identified in the “Summary of the Florida Patient Bill of Rights and Responsibilities” as written on the Policy Statement immediately preceding this Procedure.

C. Individual Dignity

- 1. The individual dignity of a patient must be respected at all times and upon all occasions.
 - a. Every patient who is provided healthcare services retains certain rights to privacy, which must be respected without regard to the patient's economic status or source of payment for his or her care.

- b. The patient's rights to privacy must be respected to the extent consistent with providing adequate medical care to the patient and with the efficient administration of the facility or program healthcare provider's office. However, this subparagraph does not preclude necessary and discreet discussion of a patient's case or examination by appropriate medical personnel.
2. A patient has the right to a prompt and reasonable response to a question or request.
 - a. The facility and program Workforce members shall respond in a reasonable manner to the request of a patient's health care provider for medical services to the patient.
 - b. The facility and program Workforce members shall also respond in a reasonable manner to the patient's request for other services customarily rendered by the facility or program to the extent such services do not require the approval of the patient's healthcare provider or are not inconsistent with the patient's treatment.
 - c. A patient has the right to retain and use personal clothing or possessions as space within the facility or program permits, unless for him or her to do so would infringe upon the right of another patient or is medically or programmatically contraindicated for documented medical, safety, or programmatic reasons.

D. Information About Healthcare, the Healthcare Providers and Workforce Members

1. A patient has the right to know the name, function, and qualifications of each healthcare provider and Workforce member who is providing medical services to the patient.
 - a. A patient may request such information from his or her responsible healthcare provider, facility or program Administrative Officer in which he or she is receiving medical services.
2. A patient has the right to know what patient support services are available in or by the facility or program.
3. A patient has the right to be given by his or her healthcare provider information concerning diagnosis, planned course of treatment, alternatives, risks, and prognosis, unless it is medically inadvisable or impossible to give this information to the patient, in which case the information must be given to the patient's guardian, or a person designated as the patient's representative. A patient has the right to refuse this information. (See FIU Policy and Procedure #1660.001) (Representatives))

4. A patient has the right to refuse any treatment based on information required by this paragraph, except as otherwise provided by law. The responsible healthcare provider shall document any such refusal.
5. A patient has the right to know what facility or program rules and regulations apply to his or her conduct.
6. A patient has the right to express grievances to a healthcare provider, a facility or program Administrative Officer, the Director of Compliance and Privacy for Health Affairs, the Office of Compliance and Integrity, or the appropriate state licensing agency regarding alleged violations of patients' rights.
 - a. A patient has the right to know the healthcare provider's, facility's or program's procedures for expressing a grievance. (See FIU Policy and Procedure #1660.065) (Complaints Under the HIPAA Privacy Rule, Mitigation, Refraining From Intimidating or Retaliatory Acts, and Waiver))
7. A patient who does not speak English, or has limited English proficiency, has the right to be provided an interpreter when receiving medical services.

E. Financial Information and Disclosure

1. A patient has the right to be given, upon request, by the responsible healthcare provider, his or her designee, or a representative of the facility or program full information and necessary counseling on the availability of known financial resources for the patient's health care.
2. The healthcare providers or a designated facility or program Workforce member shall, upon request, disclose to each patient who is eligible for Medicare, in advance of treatment, whether the healthcare provider or the facility or program in which the patient is receiving medical services accepts assignment under Medicare reimbursement as payment in full for medical services and treatment rendered by the healthcare provider, facility or program Workforce member(s).
3. The healthcare provider, facility, or program Workforce members shall, upon request, furnish a patient, prior to provision of medical services, a reasonable estimate of charges for such services.
 - a. Such reasonable estimate shall not preclude the healthcare provider, facility or program from exceeding the estimate or making additional charges based on changes in the patient's condition or treatment needs.
4. Patients have the right to receive a copy of an itemized bill upon request.

- a. Patients have a right to be given an explanation of charges upon request.

F. Access to Healthcare

1. Patients have the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.
2. Patients have the right to treatment for any emergency medical condition that will deteriorate from failure to provide such treatment.
3. Patients have the right to access any mode of treatment that is, in his or her own judgment and the judgment of his or her healthcare practitioner, in the best interests of the patient, including complementary or alternative health care treatments, in accordance with the provisions of Florida Statute §456.41.

G. Experimental Research

1. In addition to the provisions of Florida Statute §766.103 and §456.057, patients have the right to know if medical treatment is for purposes of experimental research and to consent prior to participation in such experimental research.
 - a. For any patient, regardless of ability to pay or source of payment for his or her care, participation must be a voluntary matter; and a patient has the right to refuse to participate. The patient's consent or refusal must be documented in the patient's medical record.

H. Patient Responsibilities

1. In receiving healthcare, patients have the right to know their rights and responsibilities. Each patient of a health care provider shall respect the healthcare provider's, facility or program Workforce members right to expect behavior on the part of patients which, considering the nature of their illness, is reasonable and responsible.
2. Each patient shall observe the responsibilities described in the following summary:
 - a. A patient is responsible for providing to the healthcare provider, to the best of his or her knowledge, accurate and complete information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to his or her health.
 - b. A patient is responsible for reporting unexpected changes in his or her condition to the healthcare provider.

- c. A patient is responsible for reporting to the healthcare provider whether he or she comprehends a contemplated course of action and what is expected of him or her.
- d. A patient is responsible for following the treatment plan recommended by the healthcare provider.
- e. A patient is responsible for keeping appointments and, when he or she is unable to do so for any reason, for notifying the healthcare provider or healthcare facility.
- f. A patient is responsible for his or her actions if he or she refuses treatment or does not follow the healthcare provider's instructions.
- g. A patient is responsible for assuring that the financial obligations of his or her healthcare are fulfilled as promptly as possible.
- h. A patient is responsible for following healthcare facility or program rules and regulations affecting patient care and conduct.

II. **Health Insurance and Portability and Privacy Act (HIPAA) and Florida State Statute Rights**

A. **Right to Obtain the Notice of Privacy Practices** (See FIU Policy and Procedure #1640.015) (Providing Notice of Privacy Practices)

The Notice is available in paper and electronic format and the Notice must be provided at the first encounter. The patient and all other individuals have the right to request a copy of the Notice. Paper copies are available at every physical healthcare facility and program. For electronic access to the Notice, the Notice is posted on FIU's Office of Compliance and Integrity website, and the websites maintained by the facilities and programs identified as part of FIU Health Insurance Portability and Accountability Act (HIPAA) Hybrid Designation.

B. **Right to Inspect and Obtain a Copy of Their Protected Health Information** (See FIU Policy and Procedure #1660.050) (Patient Access to Protected Health Information)

With limited exception, patients and their legally authorized Representatives have the right to inspect and obtain a copy of the patient's protected health information that is part of the patient's Designated Record Set for as long as the information is maintained by the facility or program.

- C. **Right to Request Restrictions on Uses and Disclosures of Their Protected Health Information** (See FIU Policy and Procedure #1660.045) (Right of Patients to Request Restrictions Regarding the Use and Disclosure of Their Protected Health Information)

Patients have the right to request restrictions regarding the uses and disclosures of their protected health information for certain purposes, including treatment, payment, and health care operations (TPO). The law also grants patients the right to request restrictions for other disclosures, such as those made to family members. Any requested restrictions approved by the facility or program are limited to the information under the control of the facility or program.

- D. **Right to Request Amendment of Their Health Information** (See FIU Policy and Procedure #1660.055) (Amendment of Protected Health Information)

Subject to certain limitations, patients have the right to request amendment of the protected health information in their Designated Record Set in paper or electronic format, for as long as the protected health information is maintained by the facility or program. The facility or program must consider all requests for amendment but are not required to agree to the request for amendment.

- E. **Right to Received Confidential Communications** (See FIU Policy and Procedure #1660.005) (Right of Patients to Request Confidential Communications Regarding the Use and Disclosure of Their Protected Health Information)

HIPAA grants patients the right to request an alternative means or location for receiving communications of their protected health information (e.g., by telephone only) or at certain locations (e.g., work address only). The facilities and programs will accommodate all reasonable requests upon receipt and review of such request.

- F. **Right to Receive an Accounting of the Disclosures of Their Health Information** (See FIU Policy and Procedure #1660.060) (Accounting of Disclosures of Protected Health Information)

Subject to certain limitations, HIPAA, and Florida state statute grants patients the right to receive an accounting of disclosures that the facility or program made of the patient's protected health information. More specifically, Florida state statute provides that a record must be maintained of all disclosures of information contained in the medical records to a third-party.

- G. **Right to File a Complaint** (See FIU Policy and Procedure #1660.065) (Complaints Under the HIPAA Privacy Rule, Mitigation, Refraining From Intimidating or Retaliatory Acts, and Waiver)



HIPAA and Florida state statutes grant patients the right to file a complaint about FIU, the facilities and programs compliance with its privacy and/or security policies and procedures or when patients feel their privacy rights have been violated.

III. **Record Retention**

- A. If a communication, action, activity, or designation is required to be documented in writing, the document or record owner will maintain such writings, or an electronic copy, for seven (7) years from the date of its creation or the last effective date, whichever is later.