

OREGON STATE HOSPITAL

POLICIES AND PROCEDURES

SECTION 1: Administration

POLICY: 1.015

SUBJECT: Notarial Services

POINT PERSON: BENEFIT COORDINATORS UNIT MANAGER

APPROVED: DOLORES MATTEUCCI
SUPERINTENDENT

DATE: AUGUST 31, 2018

I. POLICY

- A. Oregon State Hospital (OSH) will support notary services when provided in accordance with applicable Oregon Revised Statute (ORS), Oregon Administrative Rules (OAR), and this policy. This policy applies to all health care personnel (HCP) and notary services provided to patients or at OSH.
- B. Whenever possible, a notary should notarize within their scope of work and as authorized in their position description.
 - 1. In accordance with ORS 194.350, a notary may not give advice regarding the subject to be notarized.
 - 2. A notary is responsible to maintain their journals and stamp in accordance with this policy and applicable regulations, including ORS 194.290, ORS 194.295, and ORS 194.300.
- C. A notary must follow standard notarial rules and regulations when performing notarial services for persons other than patients.
- D. Health care personnel, including notaries, must follow Attachment A when requesting and providing notary services at OSH, for OSH business-related purposes, or during a notary's work hours.
- E. When requesting notary services for a patient, HCP must obtain all necessary approvals before making the request in accordance with Attachment A.
- F. A notary's manager must follow the process in Attachment B.
 - 1. The manager must notify Legal Services and Human Resources of a new notary.
 - 2. The notary's manager must notify Legal Services at the end of a notary's employment with OSH.
- G. Legal Services will maintain a list of notaries at OSH.

- H. Legal Services will maintain journals after the end of the notary's employment in accordance with applicable ORS.
- I. OSH follows all applicable regulations, including federal and state statutes and rules; Oregon Department of Administrative Services, Shared Services, and Oregon Health Authority policies; and relevant accreditation standards. Such regulations supersede the provisions of this policy unless this policy is more restrictive.
- J. A HCP who fails to comply with this policy or related procedures may be subject to disciplinary action, up to and including dismissal.

II. DEFINITIONS

- A. "Health care personnel" for the purposes of this policy means the population of health care workers working in the OSH healthcare setting. HCP might include, but is not limited to: physicians, nurses, nursing assistants, therapists, technicians, dental personnel, pharmacists, laboratory personnel, students and volunteers, trainees, contractual staff not employed by the facility, and persons not directly involved in patient care (e.g., clerical, dietary, housekeeping, maintenance).
- B. "Notary" in this policy means an OSH employee who is commissioned to be a notary with the State of Oregon.

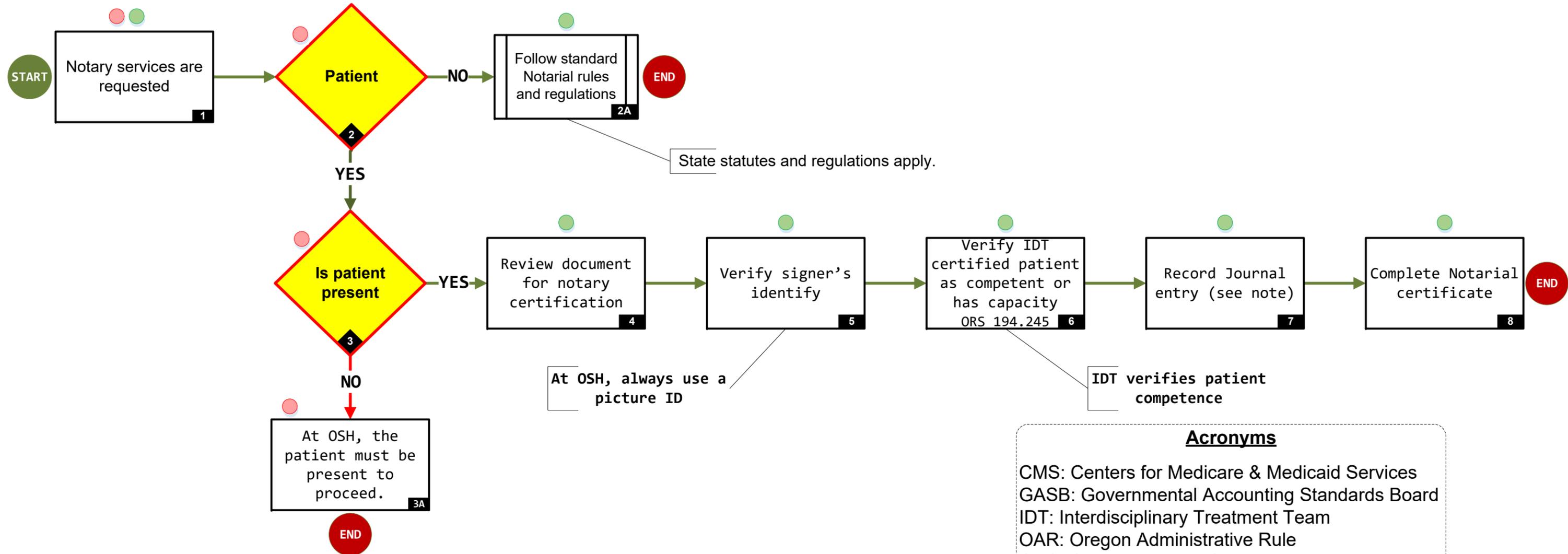
III. ATTACHMENTS

- Attachment A OSH Notarial Services Process
- Attachment B OSH Notary Public Manager Duties

IV. REFERENCES

- Oregon Administrative Rules § 160-100-0360.
- Oregon Administrative Rules § 160-100-0310.
- Oregon Administrative Rules § 160-100-0340.
- Oregon Administrative Rules § 160-100-0110.
- Oregon Administrative Rules § 160-100-0200.
- Oregon Revised Statute § 194.

Notarial Services Employee Duties



State statutes and regulations apply.

At OSH, always use a picture ID

IDT verifies patient competence

Acronyms

CMS: Centers for Medicare & Medicaid Services
 GASB: Governmental Accounting Standards Board
 IDT: Interdisciplinary Treatment Team
 OAR: Oregon Administrative Rule
 ORS: Oregon Revised Statute
 OSH: Oregon State Hospital
 PHI: Personal Health Information

Guidance Key

- Policy
- ORS / OAR
- GASB
- CMS

Business Rule:
Never give advice

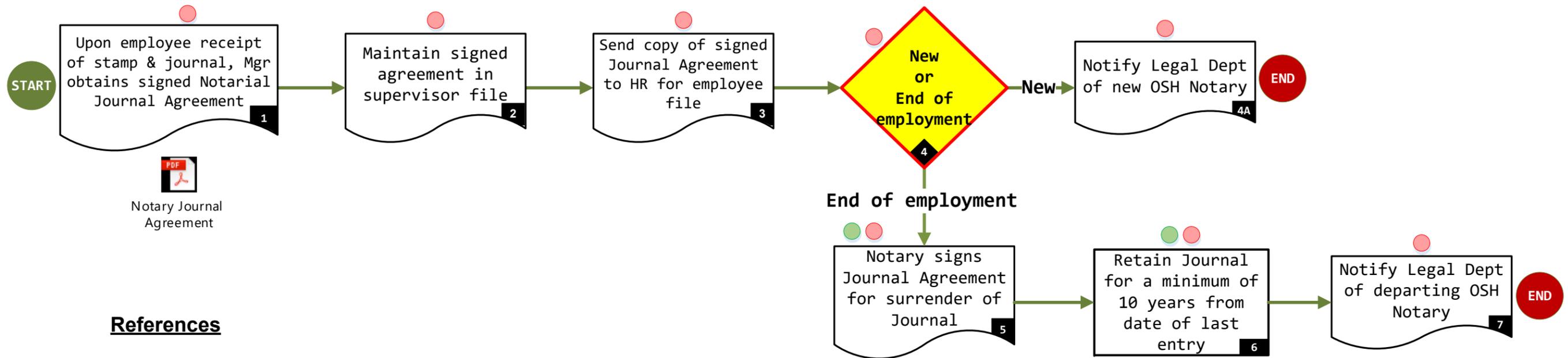
Best Business Practice:

- For OSH, the IDT clinician should verify patient's competency to participate in notary services.
- Maintain two journals, one for patients and another for all other notary customers. This allows you to protect patient PHI.
- Journal should be kept for a minimum of ten years from the last entry date.

Journal Note

1. Journal must have bound pages.
2. Type of notarization.
3. Date of document..
4. Type of document
5. Signature printed name of individual
6. Address of individual.
7. Address of individual.
8. Detailed identification of individual (with picture).
9. The right thumbprint of the signer.
10. Pertinent data (such as, signer appeared both willing and aware of the notarial act).
11. Journal is kept for a minimum of 10 years from the last entry and must be retrievable during an audit.

OSH Notary Public (Manager duties)



References

ORS 194.152(3) Journal of notarial acts

ORS 194.300 Journal

ORS 194.390 Disposition of records on vacancy in office; penalty for failure to properly dispose of records or for destroying or altering records.

OAR 160-100-0310 Disposition of Notarial Records Upon Termination of Commission Due to Resignation

OAR 160-100-0340 Disposition of Notarial Records Upon Termination of Commission Due to Death or Incompetency

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