

HIPAA Security Policy

Carroll County Developmental Disabilities

Overview

Carroll County Board of Developmental Disabilities (CCBDD) will conform to all applicable requirements set forth in the Health Insurance Portability and Accountability Act (HIPAA) of 1996, including Electronic Health Care Transactions, Privacy, and Health Data and Security of Health Data. CCBDD will maintain appropriate policies, procedures, regulations and rules to prevent, detect, contain and correct security violations. CCBDD will apply appropriate sanctions against employees who fail to comply with the security policies and procedures adopted by the Board per its employee disciplinary policy up to and including termination.

Purpose

- A. To establish policy and subsequent procedures for compliance with applicable HIPAA security standards
- B. To maintain the confidentiality, integrity, and availability of all protected health information (PHI) and electronic protected health information (EPHI)
- C. Protect against any reasonably anticipated threats or hazards of the security or integrity of EPHI
- D. Protect against any reasonably anticipated uses or disclosures of such information that is not permitted or required
- E. Maintain compliance by the employees of the CCBDD

Policy:

- A. It is the general policy of the Board that the confidentiality and privacy of PHI will be maintained in accordance with the Board's policy and procedures regarding the use and disclosure of PHI.
- B. The provisions of this policy shall apply to the Board, all employees, volunteers/ interns, and contracted service and support providers.
- C. The Superintendent will appoint a Privacy Officer to develop privacy procedures and ensure the Board's compliance with HIPAA policies and procedures, to investigate and mediate complaints pertaining to violations of HIPAA policies and procedures, and to mitigate the harmful effects of HIPAA privacy violations, to the extent that such mitigation is reasonable and possible.

- D. The Board will develop an administrative resolution of complaints procedure whereby any person, other than an employee of the Board, may register a complaint regarding the protection, use, or disclosure of PHI.
- E. The Board will develop procedures to define sanctions against employees, volunteers/interns, or contracted service and support providers for inappropriate use or disclosure of PHI.
- F. The Board will develop procedures to prohibit the intimidation or imposition of retaliatory actions against any person who files a complaint regarding the protection, use, or disclosure of PHI, who testifies, assists, or participates in any investigation, compliance review, proceeding, or hearing under HIPAA regulations, or who opposes any act or practice made unlawful under HIPAA regulations.
- G. The Board will develop procedures to ensure that all documentation required under HIPAA regulations is collected and maintained for a period of seven (7) years. The HIPAA Privacy Officer shall be responsible to ensure the proper maintenance of all required documentation.
- H. All Board staff, volunteers/interns, and contracted service and support providers shall receive training on HIPAA policies and procedures within 90 days of their initial assignment with the Board and at least once during each calendar year thereafter.
- I. The Privacy Officer shall conduct an annual review of the Board's HIPAA policies and procedures and present recommended revisions to the Board for their approval. The Board's Notice of Privacy Practices will be revised and distributed whenever material changes are made to the Board's policies or procedures pertaining to the use and disclosure of PHI, individuals' rights, the Board's legal responsibilities, or to the privacy practices stated in the notice.
- J. The Board will develop procedures for the proper storage, printing/copying, and general safeguarding of paper, oral, and electronic data.
- K. The Board will develop procedures that will allow staff members who are victims of a crime perpetrated by an individual served by the Board to disclose certain PHI about the individual to a law enforcement agency.
- L. The Board will develop procedures that will allow for the disclosure of PHI without authorization and without an opportunity to object to the disclosure for public health activities, health oversight activities, and specialized government functions where such disclosures are required by law.
- M. The Board will develop a Notice of Privacy Practices for distribution to all individuals receiving Board services, parents/caregivers, legal guardians, and all

- other interested persons that describes their rights under HIPAA regulations and provides a detailed summary of the Board's policies and procedures relative to the HIPAA regulations.
- N. The Board will develop procedures whereby the parent or legal guardian, or an individual of legal age who is receiving Board services, or the personal representative of an individual receiving Board services can inspect and review any Board record related to the individual receiving Board services.
 - O. The Board will develop procedures whereby the parent or legal guardian, or an individual of legal age who is receiving Board services, or the personal representative of an individual receiving Board services may request an amendment to PHI where it is believed that the information is inaccurate or misleading or violates the privacy or other rights of the individual.
 - P. The Board will develop procedures whereby the parent or legal guardian, or an individual of legal age who is receiving Board services, or the personal representative of an individual receiving Board services may request restrictions on certain uses and disclosures of PHI over and above the standard protections offered by Board policies and procedures. Such requests will be granted at the Board's discretion, subject to consideration of whether or not the request can be reasonably administered. Any request granted will be honored, except in emergency situations, or until terminated.
 - Q. The Board will develop procedures whereby the parent or legal guardian, or an individual of legal age who is receiving Board services, or the personal representative of an individual receiving Board services may obtain an accounting of the disclosures of the individual's PHI. In general, this accounting will include disclosures made for reasons other than treatment, payment, or operations, and not authorized by the individual or their personal representative.
 - R. The Board will develop procedures whereby the parent or legal guardian, or an individual of legal age who is receiving Board services, or the personal representative of an individual receiving Board services may request confidential communications, such as not sending information to their home address or telephoning their home number. Such requests will be honored to the extent that they can be reasonably administered.
 - S. The Board authorizes the Superintendent to develop and implement written procedures consistent with Board policy and applicable rules, regulations, and statutes that apply to all employees, volunteers/interns, and contracted service and support providers to ensure a system exists for the implementation of this policy.