

NWF Health Network Policy & Procedure

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| Series: | 1100: Human Resources | |
| Policy Name: | Employee Health Insurance Portability and Accountability Act (HIPAA) Awareness | |
| Policy Number: | 1103 | |
| Origination Date: | 2/17/2009 | Revised: Board Meeting of 12/14/23 |
| Regulation: | Ch. 39, F.S. P.L. 104-191, HIPAA CFOP 60-17 | |

Policy

It is the policy of NWF Health Network (NWFHN), to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) relating to the privacy requirements for Protected Health Information (PHI).

Procedure

A. Purpose.

1. Under HIPAA regulations permitted use and disclosure is limited to treatment, payment or operation of the health plan.
 - a. PHI cannot be used or disclosed for any other purpose without prior written authorization by the individual.
 - b. The NWFHN's Human Resources staff may be exposed periodically to PHI, such as during benefits enrollment, assisting employees with claims processing, plan interpretation or medical leave.
 - c. The NWFHN will, to the extent required by law:
 - i. Keep medical information that identifies an employee confidential.
 - ii. Disclose or use medical information only for the purpose of treatment, payment, or operation of the health plan or if properly authorized to be used for another purpose permitted by law or regulation.
 - iii. Provide employees notice of NWFHN's privacy practices.
 - iv. Employees will be notified of the importance and trained to properly handle PHI information by DCF.
 - v. Inform employees of their right to inspect and copy medical information.
 - vi. Require that all business agents that process or have access to PHI comply with the privacy requirements of HIPAA.

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- B. Privacy Officer Duties. The Privacy Officer (PO) will be responsible for the functions of auditing, training, record keeping, corrective action, and receipts of requests and exercise of employee rights, and receipt of notices from employees and/or enforcement agencies. The Human Resource Manager shall serve as the Privacy Officer for the agency.
- C. Right to Inspect and Copy.
1. Employees have the right to inspect and copy PHI maintained by the employing NWFHN, to the extent required by law.
 2. The Privacy Officer will be responsible for maintaining all records of such requests to inspect or copy.
 3. Employees must submit a formal request in writing to the Privacy Officer to review Private Health Information. If possible, the type of information requested should be listed.
 4. A mutually agreeable time will be set up to review the information in the presence of the Privacy Officer.
 5. A fee of five cents (\$.05) per page will be charged for all copies of documents requested.
 6. A request for review can be denied as governed by HIPPA for reasons such as:
 - a. Access will endanger safety or life of an individual or others.
 - b. PHI makes reference to another person other than a health care provider.
 - c. Upon denial, NWFHN will inform the employee of the basis for the denial and if applicable, a statement of how to obtain a denial review and a description of the Health and Human Services complaint filing procedures.
- D. Right to Amend.
1. An employee who feels that the PHI maintained by NWFHN is incorrect or incomplete may ask to have the file amended for as long as it is maintained.
 2. The Privacy Officer will be responsible for maintaining all records of such requests to amend.
 - a. This request must be in writing and submitted to the Privacy Officer along with a reason for the request.
 3. The request may be denied as governed by HIPAA.
 - a. Upon a denial, NWFHN will inform the employee of the basis of the denial. Such as:
 - i. NWFHN determines the information is accurate.
 - ii. NWFHN does not hold the information in its designated record set.
 - iii. May exclude the information from access by the individual.

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- b. The NWFHN will also provide a statement that the individual has the right to submit a written statement disagreeing with the denial and how the statement may be filed.
- c. If a statement of disagreement is not filed, the employee may ask the NWFHN to provide:
 - i. Copy of the amendment request with any future PHI disclosure; and
 - ii. Description of the complaint procedures used by NWFHN.
- E. Violations of this Policy. Employees who violate this policy will be subject to discipline up to and including termination.