

# Kids Central, Inc. System of Care Policy & Procedure

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**Series:** Human Resources

**Policy Name:** HIPPA – Employee’s Protected Health Information

**Policy Number:** 1191

**Origination Date:** 7/27/06 **Revision Date:** 10/1/2010

**Authority:** Health Insurance Portability and Accountability Act of 1996

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## Policy

Kids Central, Inc. is committed to protecting sensitive employee health information. Kids Central's Human Resources Department is responsible for ensuring employees' protected health information (PHI) is safe and kept confidential, and will do so by complying with the guidelines of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

## Procedure

### A. Purpose

1. Permitted use and disclosure of employee protected health information (PHI) is limited to treatment, payment, and/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 Kids Central'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 Kids Central 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 Kids Central's privacy practices.
    - iv. Train employees exposed to PHI regarding proper handling of the information.
    - 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

1. The Human Resources Director is the designated Privacy Officer (PO) for employee protected health information and is responsible for auditing, record keeping, corrective action, and receipts of requests and exercise of employee rights, and receipt of notices from employees and/or enforcement agencies.

## C. Right to Inspect and Copy

1. Employees have the right to inspect and copy PHI maintained by Kids Central 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 5 cents per copy will be charged for all copies of documents requested.
6. A request may be denied as governed by HIPAA. Upon a denial, the Kids Central will inform the employee of the basis for the denial and, if applicable, a statement how to obtain a denial review and a description of the complaint filing procedures.

## D. Right to Amend

1. An employee who feels that the PHI maintained by Kids Central 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, Kids Central will inform the employee of the basis of the denial.
  - b. The Kids Central 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.

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- c. If a statement of disagreement is not filed, the employee may ask Kids Central to provide:
  - i. copy of the amendment request with any future PHI disclosure, and
  - ii. description of the complaint procedures used by Kids Central.

## E. Violations of this Policy

- i. Employees who violate this policy will be subject to discipline up to and including termination.

**Approved By:**

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Cynthia A. Schuler, Chief Executive Officer

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Date