

SHORE HEALTH SERVICES - ADMINISTRATIVE: Compliance

HIPAA Compliance Statement- PHI Related

- ✓ Shore Memorial Hospital ✓ Shore Rehab ✓ Shore LifeCare ✓ Shore Health Care at Home
- ✓ MMC ✓ Lingle/Goldstein Surgical Assoc.

Effective: 3/1/03,

Revised:

Intended Audience: All employees.

Abstract:

Shore Health Services has adopted certain Protected Health Information (PHI) Related Policies to comply with our responsibility to protect individually identifiable health information and the system components (i.e. computer hardware, software / databases, mass storage devices) that such data resides in under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), the security and privacy regulations implementing HIPAA, other federal and state laws protecting confidentiality of health information, professional ethics, and accreditation requirements. These policies govern which personnel are authorized access to individually identifiable health information and the system components that such data resides in. All personnel of Shore Health Services must comply with these policies. Demonstrated competence in the requirements of these policies is mandatory for all employees.

This general statement of HIPAA compliance shall be maintained in the Compliance section of the administrative policy manuals, by the director of Information Systems and the office of Compliance and Quality.

All other Electronic and Information System related policies shall be maintained in the Information Management section of the administrative policy manuals, and will be maintained by the Director of Information Systems and other department directors as necessary.

Questions regarding this general statement of compliance should be directed to the Privacy Officer or LS. Director.

Assumptions

Computer System, Patient Information, and Individually Identifiable Health Information (a.k.a. protected Health information, or PHI) related policies are based on the following assumptions:

- Data, media, and computer assets are the physical property of Shore Health Services, wherever located, although patients and others may have rights of access to the data.
- Individually identifiable health information is sensitive and confidential. Such information is protected from improper use and disclosure by HIPAA, its implementing regulations, other state and federal laws, professional ethics, and accreditation requirements.
- Loss or breach of confidentiality of such data may cause severe harm to the subject of the information, to Shore Health Services, and to its officers, agents, and employees.
- Most breaches of confidentiality result from poor personnel security. Hence, Shore Health Services must ensure that access is limited so as to minimize this risk.
- HIPAA, its implementing regulations, other state and federal laws, professional ethics, and accreditation requirements specify that only those individuals with a need to access and use individually identifiable health information should have access to such information.
- Limiting access to those with a need to know and giving them no more access than necessary for performance of their duties will help Shore Health Services comply with the privacy regulation's "minimum necessary" rule.
- Those authorized access should have no more access than needed for the performance of their responsibilities.

- An emergency override may be necessary for some data users, such as physicians and nurses, to respond to emergencies.
- HIPAA, its implementing regulations, and good practice require screening of all personnel with access.

Global Requirements

These global requirements, apply to all Computer System, Patient Information, and PHI related policies.

- A data user is an employee or any other personnel not employed by SHS accessing protected health information (PHI) in any form.
- Within the context of PHI related policies the terms Users, Data users, or PHI users will be used interchangeably.
 - PHI users have been granted explicit authorization to access Shore Health Services's data by Shore Health Services, therefore, references to PHI users will be equivalent to Authorized PHI users.
 - Access to PHI must be granted in accordance with the System Access policy:

PHI users must comply with the following requirements:

- Use the data only for purposes authorized by Shore Health Services.
- Comply with all policies and procedures governing health information promulgated by Shore Health Services.
- Not disclose data unless authorized to do so.

Department directors will determine which personnel get access to health information in accordance with this Policy. In making such determinations, department directors will follow these guidelines:

- Prospective PHI users will not be granted access unless they have a need for said access. • Prospective data users will be granted only the minimum access necessary to perform duties requiring such access.
- Health care providers, such as physicians and nurses, should have access only to PHI of patients that they have patient responsibility for, with an emergency override to access other patients' PHI to respond to emergencies.
- Access should be limited to necessary tasks, such as read-only, read and copy, read and edit by adding a new entry.