

Stark County Board of Developmental Disabilities

Policy 2.22 Health Insurance Portability and Accountability Act of 1996 (HIPAA)	Effective: 10/25/16
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HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (“HIPAA”)

POLICY

The Stark County Board of Developmental Disabilities(Stark DD) shall conform in all material respects with the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), specifically the Privacy Rule of 45 CFR Part 160 and 164. The Stark DD shall protect the privacy and confidentiality of the protected health information (“PHI”) of its clients by restricting its use and/or disclosure as permitted by the Privacy Rule. PHI includes individually identifiable information relating to the past, present or future physical or mental health or condition of an individual, provision of health care to an individual, or the past, present or future payment for health care provided to an individual.

Stark DD will adhere to the applicable standards as set forth in the Privacy Rule whether functioning as an entity covered under the Privacy Rule requirements, or as a business associate of another entity. A business associate is a person or entity (but not a workforce member) that performs certain functions, activities or provides services that involve the use of disclosure of PHI on behalf of the Stark DD.

Historical Resolution Information	Reviewer(s):								
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PROCEDURE

Stark DD shall abide by the following:

1. Stark DD may use the individual’s PHI without first obtaining an individual’s written authorization for purposes to (i) provide treatment, (ii) receive payment for services, (iii) for its own healthcare operations, or (iv) as permitted or required by law.
2. Stark DD shall obtain a valid authorization from an individual prior to using or disclosing the client’s PHI for any reason other than for treatment, payment or healthcare operations, or for uses or disclosures that are permitted or required by law.
3. Stark DD shall limit its use, disclosure or requests for records to the minimum amount of PHI.
4. Stark DD shall appoint a Privacy Officer and a Security Officer.
5. Stark DD shall develop and distribute a Notice of Privacy Practices to every individual as made by Stark DD, the individual’s rights, and Stark DD’s legal duties with respect to PHI.
6. Stark DD shall ensure protection of the rights of the individuals served, which include the right to access PHI, the right to amend PHI, the right to request a restriction on the use or disclosure of PHI, and the right to an accounting of disclosures of PHI.
7. Stark DD shall implement safeguards to protect the PHI from unauthorized access.
8. Stark DD shall enter into business associates agreements to conform to the Privacy Rule.
9. Stark DD shall establish documentation procedures and administrative procedures as required.