

FAIRFIELD AREA SCHOOL DISTRICT

PRIVACY OF HEALTH INFORMATION

7130

7130.1

Purpose

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) required the US Department of Health and Human Services (HHS) to establish rules to protect the privacy of health information. The Fairfield Area School District (FASD) sponsors group health plans and each plan is a Covered Entity. FASD is required to create policies and procedures to ensure compliance with the HIPAA Privacy Rule.

7130.2

Responsibility

FASD Board hereby grants the responsibility to the Superintendent to designate the FASD Privacy Officer, who will undertake the following tasks to ensure compliance with the HIPAA Privacy Rule:

7130.2a

Draft, adopt, and maintain administrative policies and procedures to allow the FASD to meet the requirements of the HIPAA Privacy Rule as they may apply to the employee health plans and/or its other covered component(s).

7130.2b

Draft and adopt a "Notice of Privacy Practices" (NPP) that describes, among other things, the uses and disclosures that the FASD is permitted or required to make under the HIPAA Privacy Rule, its obligations under HIPAA, and the rights related thereto for employees, students, and/or other individuals who may receive services from FASD's covered health plans. Such notice must be drafted and distributed by April 14, 2004.

7130.2c

Draft and adopt HIPAA-compliant written authorizations to use or disclose Protected Health Information (PHI) for purposes unrelated to treatment, payment, health care operations, and other designated purposes under the HIPAA Privacy Rule, such authorization to be ready for use no later than April 14, 2004.

7130.2d

Identify Business Associates and enter into Business Associate Agreements with all third parties that access PHI when providing services on behalf of the FASD in relation to its employees.

7130.2e Establish a training program for appropriate FASD personnel on HIPAA and the FASD's policies and procedures related thereto "as necessary and appropriate" for said employees to carry out their functions. Such training program shall include periodic refresher courses.

7130.2f The Privacy Officer shall serve as the District's Contact Person/Complaint Officer. This individual will be responsible for handling complaints, which will include documenting, investigating, and the disposition thereof.

7130.3

Guidelines

The Privacy Officer, in conjunction with the Superintendent, shall ensure the appropriate implementation of sanctions against those members of the workforce who fail to comply with the administrative policies and procedures developed hereunder in accordance with prevailing board policy.

7130.3a In addition to ensuring that appropriate administrative policies and procedures are adopted and implemented to ensure compliance with the HIPAA Privacy Rule, the FASD Board and Administration will mitigate, to the extent possible, any harmful effects of improper disclosures of PHI and will refrain from any activity that may intimidate, threaten, coerce, discriminate against, or retaliate against an individual for exercising his/her rights under HIPAA.

7130.3b This Board Policy and the administrative policies and procedures developed and implemented under the authority of the Privacy Officer replace any existing policies and procedures relating to the use and disclosure of PHI. Any separate policies and procedures relating to the use and disclosure of health information can only be maintained to the extent that they do not conflict with these policies and procedures.

Adopted April 5, 2004