



PIMA COUNTY, ARIZONA
BOARD OF SUPERVISORS POLICY

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Purpose

This policy is established to comply with the regulatory provisions promulgated under the Health Insurance Portability and Accountability Act of 1996, as codified in the Code of Federal Regulations at 45 C.F.R. 160, 45 C.F.R. 162, and 45 C.F.R. 164, and other implementing regulations that may be promulgated by the Secretary of the Department of Health and Human Services, and to provide guidance for member departments, programs and functional areas that collectively comprise the Pima County Pima County Health Care Component (hereinafter "PCHCC") with respect to HIPAA.

Policy

It is the policy of PCHCC to take reasonable steps to safeguard protected health information subject to the regulations, standards, implementation specifications or other requirements of the Standard Transactions Rules, Privacy Rules and Security Rules promulgated by the Secretary of the Department of Health and Human Services (DHHS) pursuant to the Health Insurance Portability and Accountability Act of 1996.

- 1 **Privacy.** The PCHCC shall take reasonable steps to (1) protect health information in its possession, so as to assure the privacy and confidentiality of the information, in whatever form, whether written, oral or electronic; and (2) meet or exceed the standards for protecting health information set forth at 45 C.F.R. 160 and 164 (the Privacy Rules) and 45 C.F.R. 162 (the Electronic Transaction Standards), and, when published in final form, the standards for Security and Electronic Signatures (Security Rules), proposed to be codified at 45 C.F.R.142. The PCHCC shall comply with HIPAA regulations with respect to safeguarding the privacy and confidentiality of health information in its possession. The County Administrator shall direct PCHCC staff to establish procedures and standards to implement the regulations according to existing procedures for adopting such procedures and standards.
- 2 **Individual Rights and Notice.** Consistent with the provisions of the Privacy Rule, the PCHCC shall assure the rights of individuals to:
 - 2.1.1 have access to their health information
 - 2.1.2 have written, meaningful Notice regarding the ways in which their health information is used and disclosed
 - 2.1.3 have an opportunity to request restrictions to the use and disclosure of their

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health information, and to have reasonable requests honored

- 2.1.4 have an opportunity to request corrections or amendments to their health information
- 2.1.5 receive, upon written request, an accounting of the disclosures made of their health information
- 2.1.6 file complaints regarding the PCHCC's use or disclosure of health information, and to be free from retaliation for having filed such a complaint or complaints

The County Administrator shall direct PCHCC staff to establish procedures and standards to implement this portion of the Policy according to existing Pima County procedures for adopting such procedures and standards.

3. **Minimum Necessary.** The PCHCC shall restrict its uses and disclosures of and requests for protected health information to the minimum necessary to accomplish the purpose that prompted the use, disclosure or request for information. Members of the health care team, as may be defined by each individual PCHCC member department, program or functional area, shall have unrestricted access to the individual's health information as may be required for treatment purposes. Otherwise, access to information shall be position or task-based so that employees have access only to the minimum information necessary for them to perform their jobs. All access levels, including full access, shall be properly documented and, if required by HIPAA, justified. The County Administrator shall direct PCHCC staff to establish procedures and standards to implement this section of the Policy according to existing procedures for adopting such procedures and standards.
4. **Standard Transactions.** The PCHCC shall comply with the Standard Transactions established by 45 C.F.R. 162 as required by the regulations. The County Administrator shall direct PCHCC staff to establish procedures and standards to implement this section of the Policy according to existing procedures for adopting such procedures and standards.
5. **Training.** PCHCC employees shall receive training enabling them to understand and fulfill their duties and obligations with respect to privacy and confidentiality of health information in their possession. The PCHCC shall train all members of its work force no later than April 13, 2003. PCHCC work force members hired on or after April 14, 2003, shall receive appropriate training as soon as possible after hire, but in no event later than 30 days after the date the work force member begins working in the PCHCC member. All training shall be documented in each work force member's personnel file. The County Administrator shall direct PCHCC staff to establish procedures and standards to implement this section of the Policy according to existing procedures for adopting such procedures and standards.

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6. **Reporting Violations; Compliance.** Employees shall report violations of HIPAA regulations or County HIPAA policies to their direct report, department director or to the Privacy Official. No retaliation shall be taken against any employee who reports a violation. Employees who violate HIPAA or County policy shall be subject to disciplinary action. The County Administrator shall direct PCHCC staff to establish procedures and standards to implement this section of the Policy according to existing procedures for adopting such procedures and standards.

7. **Privacy Official.** The County Administrator shall designate an individual to serve as Privacy Official for the PCHCC, consistent with the requirements established in 45 C.F.R. 164.530(a)(1) and (a)(2).

8. **Business Associates.** The PCHCC shall implement the Business Associate standards established at 45 C.F.R. 160.103 and 164.504, as applicable, at the time a Business Associate agreement is amended or established, whichever is sooner, but in any event no later than April 14, 2004. The County Administrator shall direct PCHCC staff to establish procedures and standards to implement this section of the Policy according to existing procedures for adopting such procedures and standards.

Effective Date: 3/18/03