

General Personnel

Personnel Records

HIPAA PRIVACY RULE POLICIES AND PROCEDURES

Diamond Lake School District #76 (“Plan Sponsor”) and the Diamond Lake School District #76 Insurance Plan (“Plan”) adopt the following policies and procedures consistent with the requirements of Section 164.530(i) of the HIPAA Privacy Rule. The Plan’s Amendment to comply with the Privacy Standards (“Plan Amendment”), Notice of Privacy Practices (“Notice”) and Training Manual are a part of the Plan’s policies and procedures and are incorporated by reference.

1. **Personnel Designations:**

The Privacy Officer responsible for the development and implementation of the polices and procedures is:

the Business Manager.

The contact person, or office responsible for reviewing complaints and who is able to provide further information about matters covered in the Notice is:

the Business Manager.

2. **Training:**

The Plan Sponsor will train members of its workforce on the policies and procedures with respect to protected health information (“PHI”) as necessary and appropriate. Training will initially be completed no later than the Plan’s compliance date with the Privacy Rule. Thereafter, each new member of the Plan Sponsor’s workforce with access to PHI will be trained within a reasonable period of time following his or her date of hire. Members of the Plan Sponsor’s workforce whose functions are affected by a material change in the policies and procedures will be trained within a reasonable period of time after the change becomes effective.

The training will consist of a review of the Privacy Rule regulations and requirements, the Plan Amendment, the Notice of Privacy Practices and the Training Manual, which includes the forms needed to carry out the various Privacy Rule provisions. An individual who completes the training will receive a certificate of completion.

3. **Safeguards:**

The Plan will reasonably safeguard PHI for any intentional or unintentional use or disclose in violation of the Privacy Rule. The Plan will also reasonably safeguard PHI to limit incidental uses or disclosures made pursuant to an otherwise permitted use or disclosure. The appropriate administrative, technical and physical safeguards will be reviewed and monitored to protect the privacy of PHI.

4. Complaints:

The Plan has a process in place for individuals to make complaints about the Plan's policies and procedures or its compliance with such policies and procedures. The complaint process is stated in the Notice.

5. Sanctions:

The Plan Sponsor will apply appropriate sanctions against members of its workforce who fail to comply with the Plan's policies and procedures. Such sanctions are stated in the Plan Amendment.

6. Mitigation:

The Plan will mitigate, to the extent practicable, any harmful effect that is known to it of a use or disclosure of PHI in violation of its policies and procedures or the requirements of the Privacy Rule.

7. Refraining from Intimidating or Retaliatory Act:

The Plan will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against an individual for exercising his or her rights under the Privacy Rule, filing a complaint with the Secretary of U.S. Department of Health and Human Services or otherwise in violation of the Privacy Rule.

8. Waiver of Rights:

The Plan will not require an individual to waive his or her right to file a complaint with the Secretary of the U.S. Department of Health and Human Services as a condition of the provision of treatment, payment, enrollment in the Plan or eligibility for benefits.

9. Documentation:

The Plan will: (a) maintain its policies and procedures in written or electronic form; (b) if a communication is required to be in writing, maintain such writing, or an electronic copy, as documentation; and (c) if an action, activity or designation is required to be documented, maintain a written or electronic record of such action, activity or designation.

The Plan will retain the documentation referenced above for six (6) years from the date of its creation or the date when it was last in effect, whichever is later.

ADOPTED: April 20, 2004