


CHAPTER: 10	SECTION: 8	SUBJECT: MANAGEMENT OF INFORMATION
TITLE: PRIVACY AND SECURITY OF INFORMATION		
EFFECTIVE DATE: 05/12/03	REVIEWED/REVISED DATE: 09/20/05, 03/02/11, 02/11/13, 03/11/14, 03/10/15, 04/6/17, 03/20/19, 6/3/20, 5/6/21, 10/20/22, 11/17/23	
ISSUED AND APPROVED BY:  <p style="text-align: right;">EXECUTIVE DIRECTOR</p>		

I. PURPOSE:

The purpose of this policy is to ensure that Community Mental Health of Ottawa County (CMHOC) and its officers, employees, and agents have the necessary medical and other information to provide the highest quality medical care possible while protecting the confidentiality of that information to the highest degree possible.

II. APPLICATION:

This policy applies to all staff employed by CMHOC, and contractual organizations as specified in their contracts.

III. DEFINITIONS:

Protected Health Information: PHI is individually identifiable health information that identifies the individual or that provides a basis for identifying the individual that is transmitted or maintained in any form or medium.

IV. POLICY:

It is the policy of CMHOC that all personnel must preserve the integrity and the confidentiality of Protected Health Information pertaining to our consumers.

V. PROCEDURE:

CMHOC and its officers, employees, and agents will—

- A. Be oriented on consumer confidentiality at time of hire.
- B. Collect and use PHI only for the purposes of providing services and for supporting the delivery, payment, integrity, and quality of those services. CMHOC and its officers, employees, and agents will not use or supply individual medical information for non-health care uses, such as direct marketing, employment (please note: there are times when PHI may be shared for supported/transitional employment services, although this can be considered “health care uses”), or credit evaluation purposes.

- C. Collect and use individual PHI only:
 - 1. To provide proper diagnosis and treatment.
 - 2. With the individual's knowledge and consent.
 - 3. To receive reimbursement for services provided.
 - 4. For research and similar purposes designed to improve the quality and to reduce the cost of health care in accordance with agency policy.
 - 5. As a basis for required reporting of health information.

- D. Recognize that PHI collected about patients must be accurate, timely, complete, and available when needed. CMHOC and its officers, employees, and agents will:
 - 1. Use their best efforts to ensure the accuracy, timeliness, and completeness of data and to ensure that authorized personnel can access it when needed.
 - 2. Complete and authenticate medical records in accordance with the law, ethics policy, accreditation standards, and agency policy.
 - 3. Maintain medical records for the retention periods required by law, professional standards, and agency policy.
 - 4. Not alter or destroy an entry in a finalized record, but rather designate it as incorrect while leaving the original entry intact and create and maintain a new entry showing the correct data.
 - 5. Implement reasonable measures to protect the integrity of all data maintained about consumers.

- E. Act as responsible information stewards and treat **all** individual medical record data and related financial, demographic, and lifestyle information as sensitive and confidential. CMHOC has implemented the DCH universal Release of Information form. Consequently, CMHOC and its officers, employees, and agents will:
 - 1. Treat all PHI as confidential in accordance with professional ethics, accreditation standards, legal requirements, and agency policy.
 - 2. Not divulge PHI unless the consumer (or his or her authorized representative) has properly consented to the release or such release is otherwise authorized by law, such as communicable disease reporting or child abuse reporting.
 - 3. When releasing PHI, take appropriate steps to prevent unauthorized disclosures, such as specifying that the recipient may not further disclose the information without consumer consent or as authorized by law.
 - 4. Implement reasonable measures to protect the confidentiality of medical and other information maintained about consumers.
 - 5. Remove consumer identifiers when appropriate, such as in statistical reporting and in medical research studies.
 - 6. Not disclose financial or other PHI as necessary for billing or other authorized purposes as authorized by law, professional standards, and agency policy.

- F. Recognize that some PHI is particularly sensitive, such as HIV/AIDS information, mental health and developmental disability information, alcohol and drug abuse information, and other information about sexually transmitted or communicable diseases. CMHOC and its officers, employees, and agents will treat such

information with additional confidentiality protections as required by law, professional ethics, accreditation requirements, and agency policy.

VI. ENFORCEMENT:

CMHOC has appointed a Privacy Officer, Compliance Officer, and Security Officer who provide oversight and monitoring. Supervisors are responsible for understanding the policy and working with their staff to assure compliance. All officers, agents, and employees of CMHOC **must** adhere to this policy. Violation of this policy is grounds for disciplinary action, up to and including termination of employment and criminal or professional sanctions in accordance with CMHOC sanction policy and personnel rules and regulations.

VII. REFERENCE:

Ottawa County Policy, County Electronic Communication Policy
Ottawa County Policy, HIPAA Compliance
Ottawa County Policy, Information Security