



# Policy of the Board of Trustees

G Series

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## HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The Board of Trustees directs the Principal or designee to take steps to ensure compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), which grants individuals the right to receive notice of the uses and disclosures of their protected health information that may be made by the School, and sets forth the individual's rights and the School's legal obligations with respect to protected health information.

### **Confidentiality of Individually Identifiable Health Information**

The school and its employees will not use or disclose an individual's protected health information for any purpose, without the properly documented consent or authorization of the individual, or his/her authorized representative, unless required or authorized to do so under state or federal law or this policy, unless an emergency exists, or unless the information has been sufficiently de-identified that the recipient of the information would be unable to link the information to a specific individual.

Prior to releasing any protected health information for the purposes set forth above, the school representative disclosing the information shall verify the identity and authority of the individual to whom disclosure is made. This verification may include the examination of official documents, badges, driver's licenses, workplace identity cards, credentials or other relevant forms of identification or verification.

All employees of the school are expected to comply with the administration of this policy. Any violation of the HIPAA privacy or security standards or this policy shall constitute grounds for disciplinary action, up to and including termination of employment.

Any employee of the school who believes that there has been a breach of the integrity or confidentiality of any person's protected health information shall immediately report such breach to Principal. Any employee involved in retaliatory behavior or reprisals against another individual for reporting an infraction of this policy is subject to disciplinary action up to and including termination of employment.

If the Principal determines that there has been a breach of this privacy policy or of the procedures of the School, he/she shall make a determination of the potentially harmful effects of the unauthorized use or disclosure and decide upon a course of action to minimize the harm. Any individual responsible for the unauthorized use or disclosure is referred to the Principal and NCCA Board of Trustees for appropriate disciplinary measures

*1st Reading: October 20, 2011*

*2nd Reading: December 15, 2011*

*Adoption: January 24, 2012*

*Proposed Reconsideration: January 2016*



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The School shall distribute a Notice of Privacy Practices within one month of the initial adoption of this policy, and thereafter to all employees at the time of their enrollment in the health plan and within 60 days of any material revision. The notice shall also be posted in a clear and prominent location in each facility in the School and be printed in staff handbooks and the health plan booklet. The School will also notify individuals covered by the health plan of the availability of, and how to obtain the notice at least once every three years.

## **Training**

All employees shall receive training regarding the school's privacy policies and procedures as necessary and appropriate to carry out their job duties. Training shall also be provided when there is a material change in the school's privacy practices or procedures.

## **Documentation**

Documentation shall be required in support of the policies and procedures of the school and all other parts of the HIPAA privacy regulations that directly require documentation, including, but not limited to, all authorizations and revocations of authorizations, complaints and disposition of complaints. All documentation shall be kept in written or electronic form for a period of six years.

LEGAL REF: Public Law 104-191, Health Insurance Portability and Accountability Act 011996

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