

CLIENT CONFIDENTIALITY POLICY

Policy: The federal standards for Privacy of Individually Identifiable Health Information Final Rule (HIPPA Privacy Rule), promulgated to implement the Health Insurance Portability and Accountability Act of 1996 (HIPPA), made significant changes in the protection of certain individually identifiable health information that is created, received, and maintained in any form or manner by the Spotswood Office on Aging. As stated in the Older Americans Act: “All information gathered in the course of receiving reports and making referrals shall remain confidential unless all parties to the complaint consent in writing to the release of such information, except that such information may be released to al law enforcement or public protective agency.” (from Sect. 3027(a) (16) (c)).

Rationale: To ensure safeguarding of client sensitive information and to keep agency and agency personnel compliant with federal and state privacy regulations through the implementation of privacy procedures that specify the Office on Aging’s methods for the protection of individually identifiable health information.

Procedures:

- 1. Privacy Officer:** The Office on Aging will appoint a privacy officer who will be appointed to oversee, implement, train and assess confidentiality/privacy policies and procedures used within the office and with contracted agencies.
- 2. Training:**
 - A. There will be annual training for all staff on the confidentiality policies and procedures of the office.
 - B. Training will also be held whenever significant changes are made to the confidentiality policy and procedures.

C. New staff will receive training on the confidentiality policy and procedures as part of the orientation to job training.

3. Safeguards

A. Paper files are to be maintained in locked file cabinets and are not to be left out in the open unattended.

B. Client Specific computer files must be password protected with quarterly password changes. All computer screens and programs must be closed when the computer is unattended.

C. Faxes are to be addressed to the specific individual that the fax is intended to reach, and a confidentiality statement should accompany it.

D. Frequently faxed numbers will be stored in speed dial to avoid dialing errors.

E. The fax machine will be stationed inside employee workspace, away from the public eye.

F. All client sensitive information to be discarded will be shredded.

G. When discussing confidential client information, discretion shall be maintained. i.e. do not in open areas and do not use full names.

H. Voice mail is not to be listened to via speaker phone.

I. When leaving voice messages, leave as little information as possible in your messages to safeguard client's privacy.

4. Business Partners/Social Service Agencies

A. Agreements with Business Partners/Contracted Agencies and Social Service Agencies regarding HIPPA Compliance and Agency Confidentiality Policies and Procedures will be maintained by the Office on Aging and updated annually during the contract process.

5. Limitations on Information Access

- A. Signed release of information forms must be present in each file and update at least annually. Information can be shared on a need to know basis with authorized individual or agencies per the signed release information form.
- B. Verification of the identity and authority of requestor of individually identifiable health information shall be required prior to disclosure of requested information.

6. Clients Rights

- A. All care management clients shall receive a copy of the Consumer's Bill of Rights during initial assessments.
- B. Client file will contain a sign off sheet that the client received the Consumer's Bill of Rights.

7. Documentation of Complaints

- A. Any complaints in regards to privacy or breach of confidentiality shall be submitted in writing to the privacy officer and will follow the established grievance procedure of the Spotswood Office on Aging.

8. Sanctions

- A. Any breach of the confidentiality policy and procedures will result in disciplinary action, i.e. verbal/written warnings, suspensions and ultimate termination per the personnel handbook and union contracts.
- B. Civil and criminal penalties may apply the HIPPA regulations in the form of monetary fines and jail time.

9. Transition of Cases

- A. All cases being transferred between programs will follow the established procedure of the Department of Health and Senior Services, Division of Aging, Spotswood Office on Aging and community programs.

10. Policy and Procedure Change

- A. The Spotswood Office on Aging shall modify the confidentiality policy and procedures as necessary and appropriate to comply with any changes in state and federal law. Changes to the policy and procedures can be made at any time. The changes will be documented and staff will be trained once the changes are to be implemented.

11. Compliance

- A. All Office on Aging staff will have been trained on the confidentiality policies and procedures by April 14, 2003. This date represents the compliance date specified in the HIPPA Privacy Rule.