

SECTION: Personnel Policies and Procedures / General Personnel Policies and Procedures  
SUBJECT: Health Insurance Portability and Accountability Act (HIPAA)  
SOURCE REFERENCE: GSCC Internal Policy

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NUMBER: F/8.6

## Health Insurance Portability and Accountability Act (HIPAA) Privacy Policy

HIPAA restricts the use and disclosure of protected health information (PHI). All employees who have access to PHI must comply with this policy. For the purposes of this policy, the term employee includes, volunteers, trainees, and other persons who work under the supervision of an employee.

PHI is information that has been created or received by the College and relates to the past, present, or future physical or mental health condition of an employee or student, with a reasonable basis that the information could be used to identify the employee or student.

### Access to PHI is Limited to Certain Employees and may include:

- President
- Director of Human Resources
- Director of Legal Affairs
- ADA Coordinator
- Applicable Dean/Director/Coordinator/Division Chair
- Health Science Directors

### Disclosures of PHI for Legal and Administrative Purposes

PHI may be disclosed when specific requirements are met, such as:

- Victims of abuse, neglect or domestic violence: The individual agrees with the disclosure. The disclosure is authorized by statute or regulation and the disclosure prevents harm to the individual.
- Judicial and administrative proceedings: An order of a court including subpoena, discovery request, or other lawful process.
- Law enforcement purposes: Information requested is limited to identifying or locating a suspect, fugitive, material witness or missing person; or, information that is evidence of criminal conduct that occurred on College property.
- Workplace accommodation requests pursuant to the Americans with Disabilities Act.
- Claims for uninsured medical costs or personal property damage on institution property.
- Disclosure is necessary to prevent a serious and imminent threat to the health or safety of a person or the public.

### Requests for Disclosure of PHI from Spouses, Family Members, and Friends

Gadsden State will not disclose PHI to family and friends of an individual except as required or permitted by HIPAA. Generally, an authorization is required before another party, including spouse, family member or friend, will be able to access PHI.

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## Safeguards

The following is a list of tips and suggestions for the safeguard of PHI:

- Avoid conversations outside of private office areas.
- Place fax machines in secure areas.
- Store records in a way that avoids access by unauthorized persons, such as in locked filing cabinets.
- Secure desks and work areas that contain PHI.
- Position computer monitors or install a privacy screen to prevent unauthorized viewing of PHI.
- Shred disposed documents containing PHI.
- Dispose electronic material that contain PHI in a secure method.
- Send e-mails that contain PHI with a confidentiality notice, and/or send in encrypted form.
- Password protect PHI that is stored on a hard disk drive or other internal component of a computer.

## Privacy Official and Contact Person

Michele Bradford will be the Privacy Official and will serve as the contact person for questions, concerns, or complaints regarding the privacy of their PHI. The Privacy Official will also be responsible for developing appropriate training in regards to this policy.

Sanctions for violation of this Policy will be imposed pursuant to College and Alabama Community College System Board of Trustees Policies and in accordance with the Students First Act.