

SUBJECT: HIPAA MINIMUM NECESSARY STANDARD FOR ACCESSING,  
USING OR DISCLOSING PROTECTED HEALTH INFORMATION

EFFECTIVE  
DATE: 04-30-10 (replaces 07-17-03)

APPROVED BY:

Reviewed (no changes): \_\_\_\_\_  
\_\_\_\_\_

Executive Director

POLICY

It is the policy of McIntosh Trail Community Service Board that only individuals with a legitimate "need to know" may access, use or disclose consumer information. This includes all activities related to treatment, payment and health care operations on behalf of the organization. Each individual may only access, use or disclose the minimum information necessary to perform his/her designated role regardless of the extent of access provided to him/her. Requirements to protect consumer's privacy rights and their health information are established by the Health Insurance Portability and Accountability Act (HIPAA), Standards for Privacy of Individually Identifiable Health Information, 45 CFR Parts 160 and 164 and all Federal regulations.

PROCEDURE

1. Individuals acting on behalf of the organization must always use only the minimum amount of information necessary to accomplish the intended purpose of the use, access, or disclosure.
2. With respect to information access, consumer privacy will be supported through authorization, access, and audit controls and should be implemented for all systems that contain identifying consumer information. Within the permitted access, an individual system user is only to access what they need to perform his or her job.

**Role Based Access to Protected Health Information (PHI)**

Community Service Board	PHI relating to incidents and complaints only. Access only via Privacy Officer, Executive Director, or designee
Executive Director	PHI relating to incidents and complaints only.
Site/Center Directors	All PHI of site/center caseload
Program Directors	All PHI of program caseload
Medical Director	All PHI of organization caseload
Physicians	All PHI falling within their job description/PMF/contract/specialty
Nurses	All PHI falling within their job description/PMF/contract/specialty
Pharmacy Staff	All PHI of organization caseload
Case Managers/Counselors	All PHI for all consumers receiving services at their site
Training Aides Non-Credentialed/ Non-Licensed Direct Care Staff	All PHI for all consumers receiving services at their site
Support Staff	All PHI of their site/center/program caseload
Billing Staff	All PHI of organization caseload
IT Staff	All PHI of organization caseload
UM Staff	All PHI of organization caseload

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PROCEDURE (CONTINUED)

Routine and recurring disclosures of PHI to individuals and organizations external to McIntosh Trail CSB will be made in accordance with the disclosure matrix below. Recipients of service records of consumers treated for alcohol and/or drug abuse will in addition receive a statement of Prohibition of Redisclosure as contained in Section 2.32, 42 CFR, Part 2. Requests for information not covered by the matrix should be referred to the agency Privacy Officer. It is important not to acknowledge even that the subject of the inquiry is a consumer of services, especially in programs treating addictive diseases.

**HIPAA ROUTINE DISCLOSURES OF PROTECTED HEALTH INFORMATION**

<b>Disclosure Type</b>	<b>Type of PHI</b>	<b>Recipient</b>
SSI for Benefit Eligibility	Assessment, Diagnosis, Financial	Case Coordinator, Consumer Authorization Required
3 <sup>rd</sup> Party Payors	Assessment, Diagnosis, Service Plan	Authorized Claims Processor
Mandated State Reporting	Demographics, Assessment, Diagnosis, Discharge Summary	Authorized Data Analyst
Service Authorization	Assessment, Diagnosis, Service Plan	APS Care Manager
Quality Control	Assessment, Diagnosis, Service Plan, Activity Notes, Case Management Notes, Progress Notes	Authorized Auditor (APS, JCO, Department of Community Health, Medicaid/Medicare)
Public Housing Authorities	Demographics, Assessment, Diagnosis, Service Plan	Case Coordinator, Consumer Authorization Required
Banking, for Management of Consumer Personal Finances	Demographics, Financial	Bank Employees, Consumer Authorization Required
Family Members	Assessment, Diagnosis, Service Plan, Progress Notes, Activity Notes, Case Management Notes	Family Members, Consumer Authorization Required

The Privacy Officer has the responsibility of facilitating compliance with these principles in conjunction with the Security Officer, Rights, Ethics and Corporate Compliance Officer. Each employee is responsible for compliance with these privacy policies and principles. Enforcement will be consistent with the organization's Corporate Compliance Plan and personnel policies and procedures.