



STAFF EMPLOYMENT MANUAL

Title: 6.0 Employee Relations

Chapter: 6.16 Privacy of Medical Information

Issuance Status and Effective Date: July 2011

1. General Policy

- a. The University of Hartford is committed to protecting the private medical information of its employees in full compliance with the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The confidentiality of all protected health information (PHI) retained in University records is protected and access to PHI is limited to only those employees having an authorized business-related need to use and/or disclose the information.
- b. University insurers and benefit carriers are entitled to information necessary to administer their programs according to plan guidelines and contractual obligations. When warranted, the University may use and/or disclose PHI in compliance with HIPAA. The collection of individually identifiable PHI is limited to that which is needed by the University for business and legal purposes. For example, the University may collect information that would allow it to determine an employee's eligibility for benefits or to facilitate payment for the treatment and services an employee receives from health care providers.
- c. A signed authorization must be provided by the employee in order for his/her PHI to be used for reasons other than indicated as permissible under the University's privacy policy or under HIPAA regulations. Unless written authorization from the employee has been received, no employee with access to PHI may use and/or disclose another employee's PHI for reasons other than indicated as permissible under HIPAA regulations. Access to PHI may be given to third parties when required to do so by federal, state or local law. For example, the University may use and/or disclose PHI when required by a court order in a litigation proceeding such as a malpractice action.
- d. All employees are required to adhere to the University's privacy policy, which is posted on the HRD website at www.hartford.edu/hrd. Any employee not complying with this privacy policy may be subject to disciplinary action.
- e. No employee may be penalized or otherwise retaliated against for filing a complaint for this purpose.

2. Procedure

If an employee believes that his/her PHI has been used and/or disclosed in violation of this policy or as set forth under HIPAA, he/she has the right to file a complaint as described below.

a. Step One: Privacy Officer

The employee should submit a complaint in writing directly to the University's Privacy Officer, CC327. The complaint should include a detailed description of how the employee believes his/her PHI was used and/or disclosed in violation of the University's privacy policy or HIPAA.

The Privacy Officer will investigate the details of the complaint and respond in writing to the employee within 15 business days. If the Privacy Officer determines that a violation has occurred, the employee(s) who participated in the violation may be subject to disciplinary action.

If the Privacy Officer determines that no violation has occurred, and if the employee submitting the complaint is not satisfied that the complaint has been resolved satisfactorily, the employee may file a request for additional review to Step Two of this process.

b. Step Two: Appeal to Vice President of Finance and Administration

At the employee's request, the Privacy Officer will provide the background information concerning the complaint as well as the results of the Step One investigation to the Vice President of Finance and Administration. If the Vice President of Finance and Administration determines that a violation has occurred, the employee(s) who participated in the violation may be subject to disciplinary action.

If the Vice President of Finance and Administration determines that no violation has occurred, and if the employee submitting the complaint is not satisfied with the results of the second investigation, the employee may file a complaint to Step Three of this process.

c. Step Three: Department of Health and Human Services

Employees may file a complaint with the U.S. Department of Health and Human Services at the following address:

U. S. Department of Health and Human Services
200 Independence Avenue SW
Room 637D
Washington, DC 20201
Telephone: (202) 619-0257
Toll-free: (877) 696-6775
Fax number: (202) 260-3053
TDD: (202) 205-8280

Employees are entitled to file a complaint with the Secretary of the U.S. Department of Health and Human Services at any time. All complaints must be submitted in writing.