

COUNTY OF IMPERIAL
DEPARTMENT OF BEHAVIORAL HEALTH SERVICES

POLICY AND PROCEDURE MANUAL

SUBJECT: Updating Privacy Policies and Procedures

PROCEDURE: 01-32

SECTION: Administration

EFFECTIVE DATE: 4-14-03

REFERENCE: 45 C.F.R. Section 164.530(i)
(1)

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AUTHORITY: Behavioral Health Director
as the Local Mental Health
Director and Alcohol and
Drug Administrator

SUPERSEDES: New Procedure

APPROVED BY:



PURPOSE: To establish a procedure for updating HIPAA privacy rule policies and procedures.

SCOPE: The information in this document applies to all members of the workforce which includes employees, contract employees, volunteers, and trainees, etc., granted access to protected health information (PHI).

NOTES: Section 164.530 of the HIPAA Privacy Rules requires that ICBHS put into place several administrative measures. Section 164.530(i) requires ICBHS to implement policies and procedures with respect to protected health information. Section 164.530(i)(2) requires that ICBHS change its policies and procedures as necessary and appropriate to comply with changes in the law, including the standards, requirements, and implementation specifications.

DEFINITIONS: **HIPAA:** Health Insurance Portability and Accountability Act. The federal law passed in 1996 that provides national standards for health information.

Workforce: Employees, volunteers, trainees, and other persons whose conduct, in the performance of work for the covered entity, is under the direct control of such entity, whether or not they are paid by the covered entity. In this procedure, the term "employee" is used to refer to a member of the workforce.

PROCEDURE:

PERSON RESPONSIBLE

Privacy Officer

ACTION:

1. Monitors changes in federal and state law and regulations that may require changes in privacy policies and procedures.
2. Notifies management of the issuance of new federal or state requirements and describes the need for the creation of new or revised policies and procedures including, if necessary, changes to the Notice of Privacy Practices, and the date by which the new or reviewed policies and procedures must be implemented.
3. Develops new or revised policies and procedures necessary to meet the requirements of new laws and regulations.
4. Distributes drafts and provides a date by which recommendations must be received by.
5. Upon receipt of the recommendations, incorporates recommendations in the draft.
6. Obtains signature of the Behavioral Health director.

Note: If the new or revised policy and/or procedure requires the revision of the Notice of Privacy Practices, ensure that the new or revised policies and procedures are not implemented prior to the effective date of a revised Notice of Privacy Practices, unless an earlier effective date is mandated by law or regulation.

Privacy Officer (cont.)

7. Distributes new or revised policy and procedure to the employees responsible for maintaining and updating the Administration policy and procedure manual.
8. Announces the adoption of the new policy and/or procedure at appropriate meetings.
9. Circulates a targeted memorandum to employees whose job responsibilities are directly affected by the new policies and/or procedures.

Note: The memorandum will indicate whether a training will be held. A copy of the new or revised document will be attached.

Forms used in this procedure:

None