

**DOCUMENT 8:
ALASKA CHARTLINK POLICIES AND PROCEDURES FOR
ADDRESSING BREACHES OF CONFIDENTIALITY**

ALASKA CHARTLINK: Policy and Procedure for Addressing Breaches of Confidentiality

Policy/Procedure: Addressing Breaches of Confidentiality in the ChartLink Network

Issue Date:

Distribution:

Approved by:

ALASKA CHARTLINK (“ChartLink”) safeguards the privacy of Protected Health Information. All Provider Agency (“Provider”) personnel involved in the Use or Disclosure of Protected Health Information through ChartLink shall be familiar with this Policy and shall comply with this Policy at all times.

I. Purpose

The purpose of this policy is to ensure ChartLink and ChartLink participants that this entity will undertake disciplinary action against any person who violates the Provider’s security policies and procedures and/or causes the Provider to violate the Provider Participation Agreement with ChartLink.

II. Scope

This policy applies to the following personnel: all persons who receive access to ChartLink through the Provider, including, but not limited to, medical records personnel, information technology and support center personnel, medical staff, and employees involved in health care operations. Providers who participate in Alaska ChartLink may enact procedures that are more stringent than this policy, but must not allow those procedures to conflict with, or be less restrictive than this policy.

III. Policy

The Provider will discipline, as appropriate, any person who violates the Provider’s security policies and procedures and/or causes the Provider to violate the Provider Participation Agreement with ChartLink.

IV. Procedure

To ensure that all users of the Provider’s systems fully comply with the Security Policies and Procedures, the Provider will discipline and sanction such users, as appropriate, for any violation of the Security Policies in accordance with the following:

A. General Rule.

- The Provider shall apply appropriate sanctions against any person that fails to comply with the Provider’s Security Policies and Procedures.

- The type and severity of sanction applied shall be in accordance with the Provider's Privacy and Security Policies and Procedures.
- Employees, agents, and other contractors should be aware that violations of a severe nature may result in notification by ChartLink to law enforcement officials as well as regulatory, accreditation, and/or licensure organizations.

B. Process for Responding to Possible Violations.

- Persons affiliated with the Provider, regardless of whether they have access to ChartLink, are encouraged to report possible breaches of confidentiality to the Provider's Privacy Officer.
- The Provider shall respond to possible violations in accordance with the Provider's Security Policies and Procedures and general procedures for violation of Provider policy. The name of any persons involved with the possible violation shall be reported to ChartLink within ten (10) days of the discovery of the violation.
- A record of the event and any discipline imposed shall be maintained in the employee's personnel file with a copy to be filed in a master file maintained by the Privacy Officer, and to be provided to ChartLink within sixty (60) days of the event.
- Appropriate Provider personnel are responsible for determining the severity of sanctions necessary, in accordance with Provider policies and procedures. A record of the final determination shall be maintained by Provider, to be provided to ChartLink within sixty (60) days of the determination.

Provider Obligations:

Providers who participate in ChartLink may be asked at any time to provide evidence of compliance with this policy, and to validate that appropriate policies and procedures are in place to comply with this policy. Providers must at all times comply with the Provider Participation Agreement, including any actions taken by ChartLink in accordance with such agreement.

Who to Contact with Additional Questions:

The requirements and illustrations listed above are not intended to be complete explanations of ChartLink's approach to breaches of confidentiality. If you have any questions regarding this Policy, you should contact your supervisor, the Privacy Officer, or the Privacy Manager. If necessary, they will direct you to the appropriate ChartLink personnel for additional questions.