

**DOCUMENT 9:
ALASKA CHARTLINK PRIVACY AND CONFIDENTIALITY POLICY**

Policy/Procedure: Safeguarding Information in Health Information Exchange

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 that Provider personnel implement Provider’s safeguards regarding the protection and privacy of Protected Health Information in utilizing 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. This policy covers the minimum necessary standards for privacy and confidentiality. 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. Definitions

Disclosure means the release or transfer of PHI *outside* ChartLink or Provider, or permitting access to PHI from outside ChartLink or Provider.

Privacy Rule (or the “Rule”) refers to the final regulations regarding the privacy of individually identifiable health information promulgated by the Department of Health and Human Services under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Protected Health Information (or “PHI”) refers to any patient data, whether written or oral, that (1) is created or received by or for ChartLink or Provider; (2) relates to the patient’s health; and (3) either identifies the individual or for which there is a reasonable basis to believe could identify the patient.

Use means sharing, accessing, examining, applying, or analyzing PHI *within* ChartLink.

IV. Requirements and Explanation

ChartLink has established the following principles as minimum necessary safeguards to protect the privacy of PHI:

1. Protected Health Information in Paper Form – Provider personnel must ensure that all Provider policies and procedures regarding PHI in paper form are followed. ChartLink does not make use of paper records and places no further restrictions on the use of paper records beyond already established Provider policies and procedures.

2. Protected Health Information in Oral Form:

A. Provider personnel must take reasonable steps to protect the privacy of all verbal exchanges or discussions involving PHI (regardless of where the discussion occurs) by following appropriate Provider policies and procedures.

B. It is understood that in certain work environments Uses or Disclosures that are incidental to an otherwise permitted Use or Disclosure may occur, and such incidental Uses or Disclosures are not considered a violation provided that Provider has met the reasonable safeguards and minimum necessary requirements (if applicable).

3. Protected Health Information in Electronic Form:

A. Provider personnel must ensure that workstations are equipped with reasonable security measures so that unauthorized persons cannot access ChartLink on an unattended workstation or through the Provider's server or network.

C. Provider personnel must restrict access to ChartLink workstations to personnel who have a legitimate and identified need to have such access, and who have been granted such access in accordance with the ChartLink Identification and Authorization Verification Policy and Procedure.

D. Procedures shall be in place to ensure that purged PHI cannot be misused or placed into active operation in ChartLink without appropriate authorization.

E. Internet connectivity or remote access tied directly to ChartLink must be secure.

V. 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.

VI. Who to Contact with Additional Questions:

The requirements and illustrations listed above are not intended to be complete explanations of ChartLink's safeguards for protecting the privacy of PHI. 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.

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