



CHFC Policy Number POL-3

SECURITY AND CONFIDENTIALITY OF PATIENT HEALTH INFORMATION POLICY

Date: May 5, 2004

1. Background

CHFC is responsible for instituting reasonable safeguards to protect the confidentiality and security of its patient health information.

2. Policy

CHFC will endeavor to protect the confidentiality and security of its patient health information against inappropriate access, inappropriate use, tampering, loss/destruction and inappropriate disclosure through the use of reasonable safeguards.

Reasonable safeguards include properly selected equipment/software, procedures guiding the access, use, maintenance and disclosure of its patient health information, education and training, system measures, contractual requirements imposed upon individuals and entities who are authorized to access its patient health information and sanctions for noncompliance.

3. Purpose

The purpose of this policy is to set forth the general principles and procedures for maintaining the confidentiality and security of CHFC's patient health information.

4. Definitions

- 4.1 **Patient Health Information:** Information that is (i) created or received by CHFC; (ii) relates to past present or future physical or mental health or condition of a CHFC patient or the provision of health care to a CHFC patient; and (iii) identifies the CHFC patient or can be used to identify the CHFC patient.
- 4.2 **Medical Record:** Any paper or electronic record, file, document or other written material relating to a CHFC's patient's medical history, diagnosis, condition, treatment or evaluation.
- 4.3 **Sensitive Information:** Patient Health Information that requires heightened confidentiality, such as alcohol/drug abuse, mental health, HIV/AIDS. State and federal laws specially protect this type of information.
- 4.4 **User:** Any person issued a logon password to the CHFC computer system that uses the computer system to input Patient Health Information or use Patient Health Information from reports.

5. Procedures

- 5.1 Every individual and entity allowed access to Patient Health Information shall maintain the confidentiality and security of such information in accordance with this policy, their contractual obligations (if any) and applicable law.

- 5.7** CHFC shall retain its Medical Records until the patient is 25 years old and 7 years after the last treatment at CHFC. After this time, Medical Records may be destroyed by shredding them (if in paper format) or deleting them (if in electronic format).
- 5.8** Patient Health Information shall be disclosed only in accordance with applicable law.

 - 5.8.1** Patient Health Information may be disclosed to patient or person/entity authorized by the patient upon written request by the patient or the patient's legal representative using a CHFC's authorization to release records form.
 - 5.8.2** Patient Health Information may be disclosed for treatment purposes to health care providers that do not provide services at CHFC subject to obtaining the patient's written authorization to do so.
 - 5.8.3** Patient Health Information may be disclosed pursuant to a valid subpoena or court order only in accordance with applicable law. The Clinic Director, following receipt of legal advice, must authorize all such disclosures.
 - 5.8.4** Sensitive Information may be disclosed only in accordance with applicable law. The Clinic Director, following receipt of legal advice, must authorize all disclosures of Sensitive Information.

