

Policies and Procedures

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PURPOSE

The purpose of this policy is to comply with the Health Insurance Portability and Accountability Act (HIPAA) Security Rule's requirements pertaining to the integrity, confidentiality, and availability of electronic protected health information (ePHI).

SCOPE

This policy covers all electronic protected health information (ePHI), which is a person's identifiable health information. This policy covers all ePHI, which is available currently, or which may be created, used in the future. This policy applies to all faculty, staff, students, residents, postdoctoral fellows, and non-employees (including visiting faculty, courtesy, affiliate, and adjunct faculty, industrial personnel, and others) who collect, maintain, use, or transmit ePHI in connection with activities at Creighton University.

POLICY

Creighton University requires all Business Associate contracts and other arrangements be modified with Addendums or revised for compliance with the HIPAA Security Rule.

DEFINITIONS

Protected Health Information

Individually identifiable health information transmitted or maintained in any form.

Electronic Protected Health Information (ePHI)

Individually identifiable health information transmitted or maintained in electronic form.

Business Associate

An individual or entity that receives protected health information (PHI) from a covered entity, such as a medical practice, so that the business associate may perform services or functions, or assist in the performance of services or functions, on behalf of the covered entity. An employee of the covered entity or a member of the covered entity's own workforce is not considered a business associate but an independent contractor is.

Business Associate Agreement

A written contract, or other arrangement, that documents satisfactory assurances that a business associate will appropriately safeguard the PHI information in order to disclose PHI to the business associate.

RESPONSIBILITIES

Creighton workforce members who enter into agreements with business associates are responsible for ensuring appropriate Business Associate Agreements are used.

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ADMINISTRATION AND INTERPRETATIONS

This policy shall be administered by Information Security. Questions regarding this policy should be directed to the Information Security Officer.

AMENDMENT/TERMINATION OF THIS POLICY

The University reserves the right to modify, amend or terminate this policy at any time. This policy does not constitute a contract between the University and its faculty or employees.

REFERENCES TO APPLICABLE POLICIES

HIPAA Final Security Rule, 45 CFR Parts 160, 162, and 164, Department of Health and Human Services, <http://www.hhs.gov/ocr/privacy/hipaa/administrative/securityrule/>, February 20, 2003.

EXCEPTIONS

None

VIOLATIONS/ENFORCEMENT

Any known violations of this policy should be reported to the University's Information Security Officer at 402-280-2386 or via e-mail to infosec@creighton.edu.

Violations of this policy can result in immediate withdrawal or suspension of system and network privileges and/or disciplinary action in accordance with University procedures.

The University may advise law enforcement agencies when a criminal offense may have been committed.