

Adopted: January 25, 2011

Minnewaska Area Schools Policy 1002

Revised: _____

Origin: 2010

1002 HEALTH INFORMATION PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA): Access Authorization Policy

Introduction

Minnewaska Area Schools Day Treatment has adopted this Access Authorization Policy to comply with our duties under the Health Information Portability and Accountability Act of 1996 (“HIPAA”), the Department Health and Human Services (“DHHS”) security and privacy regulations, the Joint Commission on Accreditation of Healthcare Organizations (“JCAHO”) accreditation standards, as well as our duty to protect the confidentiality and integrity of confidential medical information as required by law, professional ethics, and accreditation requirements. This policy governs which personnel are authorized access to individually identifiable health information and to the system components that contain such data. All personnel of Minnewaska Area Schools Day Treatment must comply with this policy. Familiarity with this policy and demonstrated competence in the requirements of the policy are an important part of every employee’s responsibilities.

Assumptions

This Access Authorization Policy is based on the following assumptions:

- Data, media, and computer assets are the physical property of Minnewaska Area Schools Day Treatment, wherever located, although patients and others may have rights of access to the data.
- Individually identifiable health information is sensitive and confidential. Such information is protected from improper use and disclosure by HIPAA, its implementing regulations, other state and federal laws, professional ethics, and accreditation requirements.
- Loss or breach of confidentiality of such data may cause severe harm to the subject of the information, to Minnewaska Area Schools Day Treatment, and to its officers, agents, and employees.
- Most breaches of confidentiality result from poor personnel security. Hence, Minnewaska Area Schools Day Treatment must ensure that access is limited so as to minimize this risk.
- HIPAA, its implementing regulations, other state and federal laws, professional ethics, and accreditation requirements specify that only those individuals with a need to access and use individually identifiable health information should have access to such information.
- Limiting access to those with a need to know and giving them no more access than necessary for performance of their duties will help Minnewaska Area Schools Day Treatment comply with the privacy regulation’s “minimum necessary” rule.
- Those people authorized access should have no more access than needed for the performance of their responsibilities.

- HIPAA, its implementing regulations, and good practice require screening of all personnel with access.

Policy

- Access authorization is the process of determining whether a prospective data user should be granted access to Minnewaska Area Schools Day Treatment's data. A data user is a person who has been granted explicit authorization to access Minnewaska Area Schools Day Treatment's data by Minnewaska Area Schools Day Treatment. Access must be granted in accordance with this Access Authorization Policy and other related policies.
- Data users must comply with the following requirements:
 - Use the data only for purposes authorized by Minnewaska Area Schools Day Treatment.
 - Comply with all policies and procedures governing health information promulgated by Minnewaska Area Schools Day Treatment.
 - Not disclose data unless authorized to do so.
- The principal will determine which personnel get access to health information in accordance with this Access Authorization Policy. In making such determinations, the principal will follow these guidelines:
 - Prospective data users will not get access unless they have a need for access.
 - Prospective data users will get only the minimum access necessary to perform duties requiring such access.
 - Access will be limited to necessary tasks, such as read only, read and copy, or read and edit by adding a new entry.
- The principal will submit names of personnel needing access with recommended levels of access to the director of information systems. The principal will ensure that all prospective data users receive required training as specified in Minnewaska Area Schools Day Treatment's Personnel Security and Training Policies and annotate such training on the submission. If access is needed before training can be completed, the principal will annotate such, the reason why, and the date such training will be completed. All required training must be completed within 30 days of the receipt of access.
- The director of information systems will grant such requests in accordance with this Access Authorization Policy and Minnewaska Area Schools Day Treatment's Access Establishment Policy.
- Access modifications must be accomplished in accordance with Minnewaska Area Schools Day Treatment's Access Modification Policy.
- Termination of access must be accomplished in accordance with Minnewaska Area Schools Day Treatment's Termination Procedure.

Enforcement

All officers, agents, and employees of Minnewaska Area Schools Day Treatment **must** adhere to this policy, and all supervisors are responsible for enforcing this policy. Minnewaska Area Schools Day Treatment will not tolerate violations of this policy. Violation of this policy is grounds for disciplinary action, up to and including termination of employment and criminal or

professional sanctions in accordance with Minnewaska Area Schools Day Treatment's medical information sanction policy and personnel rules and regulations.