

<b>ADAMHS BOARD FOR MONTGOMERY COUNTY</b>	<b>BP # 511</b>	
<b>TITLE:</b> Workforce Training for HIPAA Privacy Compliance	<b>SUBJECT</b>	
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**PURPOSE:** The Health Insurance Portability and Accountability Act of 1996 (HIPAA) granted individuals the right to receive adequate notice of the uses and disclosures of their protected health information (PHI) that may be made by a covered entity, and the individual's rights and the entity's legal duties with respect to PHI. This policy has been developed to assist the Board to comply with the law and to guide Board staff in planning and implementing training programs.

**POLICY:**

1. The Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County shall establish and maintain training programs for all current and future members of the workforce to assure that the individual's job functions are performed in a manner consistent with HIPAA standards and requirements.
2. Training programs, including initial training prior to the effective date of the Privacy Rule (April 14, 2003), subsequent training for new workforce members, and retraining as policy and/or procedure changes occur shall be provided for employees, volunteers, trainees and any others performing tasks involving PHI on behalf of the ADAMHS Board.
3. All Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County training sessions related to HIPAA compliance shall be documented including content and attendance and the documentation shall be retained for a period of six years.

**DEFINITIONS**

- 1.1 Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA is comprehensive law enacted by the United States government. The law has several subparts providing such benefits as guaranteed portability and renewal of insurance benefits between employers, tax provisions for medical savings accounts and administrative simplification to improve the efficiency and effectiveness of the health care system. During the latter part of the 1990's, the Secretary of the Department of Health and Human Services drafted regulations for standardizing the electronic interchange of administrative and financial data and protecting the security and privacy of personal health information. HIPAA requires health care providers, health plans and health care clearinghouses to transition to the use of standard code sets and "electronic data interchange (EDI) and to maintain reasonable and

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appropriate administrative, technical, and physical safeguards to insure the integrity and confidentiality of healthcare information; to protect against reasonably foreseeable threats and hazards to the security or integrity of the information; and, to protect against unauthorized uses or disclosure of the information. Compliance with the first of the HIPAA rules is scheduled for early 2003. HIPAA also provides criminal penalties for failure to comply with the regulations.

- 1.2 Protected Health Information (PHI). The final rule defines PHI as individually identifiable health information that is transmitted by electronic media; maintained in any electronic medium such as magnetic tape, disc, optical file; or transmitted or maintained in any other form or medium (i.e. paper, voice, Internet, fax etc.).
- 1.3.1 Workforce: Under HIPAA, workforce is defined as employees, volunteers, trainees and other persons under the direct control of the entity, whether or not they are paid by the entity.