



Series	Compliance
Policy Name	Sanctioning of Workforce for Non-Compliance with HIPAA Regulations
Policy Number	1506
Origination Date	11/1/2013; Revised: July 1, 2018
Regulation	N/A

Background/Purpose

Communities Connected for Kids is committed to protecting all electronic files containing the protected health information (PHI) of individuals served, in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA, Title II) and as required by the U.S. Department of Health and Human Services (HHS). Communities Connected for Kids has established and will apply appropriate sanctions against members of its workforce and Independent Contractors who fail to comply with the organization's policies, procedures, Standards of Conduct, and external regulatory requirements. This policy applies to Communities Connected for Kids employees, as well as Independent Contractors who are engaged to provide related services to children and their families.

The Chief Executive Officer, in conjunction with Human Resources or other appropriate parties, will arrange for an investigation of alleged unlawful use or disclosure of information related to the protected health information of individuals served. If indicated, the type of sanction applied shall be determined by Communities Connected for Kids, as outlined in the Communities Connected for Kids Employee Handbook, Communities Connected for Kids *Standards of Conduct*, and Human Resources Policy Disciplinary Guidelines. Recommendations for sanctions will be reviewed and approved by the Chief Executive Officer, in consultation with the Human Resources Director and Legal department as needed. Depending on the nature of the violation, as required by internal and external regulatory agency reporting requirements, and in consultation with the Legal department, the Chief Executive Officer or his/her designee will notify law enforcement officials and/or regulatory / accreditation organizations, and/or licensing organizations. Human Resources will notify Information Resources of any necessary changes to personnel clearance and/or access lists.

All documentation of an investigation and that relating to the sanctioning of employees and Independent Contractors will be retained in the office of the Compliance office for a period of at least five (5) years from the date of its creation or the date when it was last in effect, whichever is later. Communities Connected for Kids employees and Independent Contractors are advised by way of this policy that sanctions for violations of Communities Connected for Kids policies, procedures and *Standards of Conduct* regarding protected health information of individuals served may result in termination of employment, or the Independent Contractor agreement, as well as civil and/or criminal penalties.

This Policy does not apply specifically when members of Communities Connected for Kids workforce or an Independent Contractor exercise their right to:

- (a) file a complaint with an external regulatory/ accreditation / licensing agency:



(b) testify, assist, or participate in an investigation, compliance review, proceeding, or hearing under the Social Security Act Title XI;

(c) disclose electronic protected health information as a whistleblower and the disclosure is to a health oversight agency, public health authority; or an attorney retained by the individual for purposes of determining the individual's legal options with regard to the whistleblower activity; or

(d) an employee who is a victim of a crime and discloses protected health information to a law enforcement official, provided that the protected health information is about a suspected perpetrator of the criminal act; and is limited to the information listed in [see Policy, Disclosure for Law Enforcement].

(e) Or any other disclosure sanctioned under HIPAA Regulations Regarding Public Health Information (45 C.F.R. 164.512) that is in adherence with applicable state laws.

Approved: Carol DeLoach

Carol DeLoach, Chief Executive Officer

July 1, 2018