
General Personnel – HIPAA Privacy Policy

The purpose of this policy is to assist the District, the Board of Education, its administrators, employees, and agents in complying with the privacy standards of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), and to protect the confidentiality and integrity of protected health information acquired through administration of the District's Group Health Plan and other similar employee benefit plans maintained by the District for the benefit of its employees. The District, as a "Plan Sponsor" and "Plan Administrator" under HIPAA, shall comply with this policy when dealing with protected health information of any individual covered by the District's Group Health Plan or similar employee benefit plan maintained by the District for the benefit of its employees. Further, the District shall separate its actions as a "Plan Sponsor" and employer from its actions as the "Plan" or the "Plan Administrator".

Definitions

For the purposes of this policy, the following definitions shall apply:

Business Associate has the meaning provided in 45 C.F.R. 160.03 and includes an entity or person who creates, receives, maintains, or transmits PHI for Plan-related functions or activities regulated by HIPAA, including claims processing or administration.

Group Health Plan (the "Plan") is the District's Health Insurance Plan, which is a group health plan offered and administered by the District. The Plan shall also include any other similar employee benefit plan maintained by the District for the benefit of its employees.

Individually Identifiable Health Information has the meaning provided in 45 C.F.R. 160.03 and is health and demographic information that relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual that identifies or can be used to identify the individual.

Plan Documents are the plan documents that govern the District's Group Health Plan or other similar employee benefit plan maintained by the District for the benefit of its employees.

Protected Health Information ("PHI") is individually identifiable health information that is transmitted by or maintained in electronic media, such as computers or the internet, or transmitted or maintained in any other form or medium, including transmissions via paper, voice, telephone, e-mail or facsimile. Protected Health Information excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act (FERPA) or employment records held by the District.

Plan Administrator is the District when performing administration functions of the Group Health Plan on behalf of the Group Health Plan and excludes functions performed by the District in connection with any other benefit of the District.

Plan Sponsor is the District, which offers and maintains the District's Group Health Plan and any other similar employee benefit plan for the benefit of its employees.

Confidentiality of PHI

The Plan and Plan Administrator shall endeavor to maintain the confidentiality and integrity of PHI. In general, all District administrators and employees acting on behalf of the Plan shall make reasonable efforts to limit the use, disclosure, and request of PHI to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request. Except as noted in the "Notice of Privacy Practices" for the Plan, PHI shall not be used or disclosed without the proper consent or authorization unless such use or disclosure is specifically authorized by law. PHI shall not be used or disclosed for marketing or directory purposes. Further, PHI shall not be used or disclosed to a relative or a friend acting on behalf of an individual unless the individual has authorized such use or disclosure or the relative or friend is an authorized personal representative acting under proper legal authority. The Plan Administrator shall handle PHI of a deceased individual in the same manner as other PHI.

PHI shall not be used or disclosed under any circumstances by the Plan Administrator for employment-related actions or decisions or in connection with any other employee benefit or employee benefit plan offered by the District.

Privacy Officer

The District's Director of Payroll and Benefits is designated as the Privacy Officer for the Plan. In coordination with the Superintendent, the Director of Payroll and Benefits may designate additional administrative personnel and staff to assist with the duties of the Privacy Officer and with administering the Plan. Such additional administrative personnel and staff shall be designated in the Plan's policies and procedures. The Privacy Officer shall ensure that all District personnel granted access to PHI pursuant to this Board Policy and Plan policies and procedures are properly trained regarding the proper use, disclosure, security, and maintenance of PHI.

For the purpose of ensuring compliance with this policy and the privacy standards of HIPAA, only the Privacy Officer and the designated administrative personnel or staff shall have access to PHI. The Privacy Officer is authorized to and shall take all reasonable steps to protect the privacy of PHI, including but not limited to, ensuring that administrative, physical, and technical safeguarding procedures are established and enforced. All documentation required by HIPAA or other applicable law shall be maintained by the Director of Payroll and Benefits as the Privacy Officer and all questions regarding the use or disclosure of PHI should be directed to the Director of Payroll and Benefit's Office.

The Privacy Officer shall develop and implement all required notices, policies, procedures, and forms to ensure HIPAA compliance. Additionally, the Privacy Officer shall certify that the Plan Document has been properly updated and that both the Plan Document and the Plan comply with HIPAA. The Privacy Officer shall enter into Business Associate agreements on behalf of the Plan with all Business Associates of the Plan.

With the concurrence of the Superintendent, the Privacy Officer shall implement the following:

Policies and Procedures:

- Policy for separation of the Plan and the Plan Sponsor
- Policy for firewalls and limiting employee access to PHI
- Procedure for maintenance and destruction of PHI
- Procedure to ensure "minimum necessary" requirements of HIPAA
- Procedures for addressing improper disclosure of PHI
- Procedures for complying with participant's rights regarding PHI

Adopted: September 16, 2026

Reviewed: August 2026

Amended:

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Forms and Notices:

- Notice of Privacy Practices (for participants)
- Request for Participant Access to PHI
- Response to Request for Participant Access to PHI
- Request for Amendment to Participant PHI
- Response to Request for Amendment to Participant PHI
- Request to Restrict Access to Participant PHI
- Response to Request to Restrict Access to Participant PHI
- Request for Accounting of Disclosure of Participant PHI

Disclosure of PHI in Violation of This Policy

In the event any person, including those persons listed above as having access to or control of PHI, do not comply with this Board Policy, the person shall be subject to appropriate disciplinary measures, which may include a verbal warning (first offense), a written warning (second offense), and suspension or termination of employment with the District. A more severe sanction may be imposed if warranted by the nature of the violation. All sanctions imposed shall be documented in the employee's personnel file and shall be maintained with the District's HIPAA compliance records.

LEGAL REF.: 45 CFR §160.103
45 CFR §164.501
45 CFR §164.502
45 CFR §164.504
45 CFR §164.520
45 CFR §164.530
42 U.S.C.A §1320d et seq