

**Personnel**

*Board of Trustees Policy*

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| <b>SUBJECT:</b><br><br>Health Insurance Portability and<br>Accountability (HIPAA) | <b>NUMBER:</b><br><br><p style="text-align: center;"><b>2.11</b></p>   |
|   | <b>DATE:</b><br><br><p style="text-align: center;"><b>August 16, 2004</b><br/> <b>Resolution #04-128</b></p> |
|   | <b>SUPERSEDES:</b>   |

***Purpose***

SUNY Schenectady is committed to protecting the privacy and confidentiality of health information of the population it serves. Health information is strictly confidential and should never be disclosed, nor confirmed to anyone who is not specifically authorized under the College’s policies or applicable law to receive the information.

***Policy***

This policy applies to all members of the College’s workforce, whether directly employed by the College or serving under an alternative arrangement. It shall include, but is not limited to:

- employees
- volunteers
- all students participating in a health related academic program
- agency and contracted staff (includes temporary staff)
- consultants, contractors, and subcontractors
- faculty and credentialed staff

**EDUCATION & TRAINING:** SUNY Schenectady is responsible for providing job appropriate training to its workforce regarding:

- 1) the need for confidentiality;
- 2) types of information that are considered confidential;
- 3) sanctions associated with a breach of confidentiality; and
- 4) the College's confidentiality agreement and the need for annual signatures.

**CONFIDENTIALITY AGREEMENT:** Each administrative supervisor of the College will be expected to review and sign the College's confidentiality agreement and will be responsible for sharing information with the appropriate staff. This should occur upon hire/affiliation and on an annual basis thereafter. This signed statement will be maintained in the appropriate employee personnel file.

**SUSPECTED BREACH:** Any and all breaches of confidentiality will be reported to the area/department supervisor. Failure to report a breach will be considered a violation of this policy.

**SANCTIONS:** Upon a finding of a breach of confidentiality by an employee in a collective bargaining unit, the College shall initiate action pursuant to the applicable collective bargaining agreement to implement an appropriate disciplinary action. For employees not represented by a collective bargaining unit, sanctions will be pursuant to the Personnel Policies of the Board of Trustees (Administrative Staff – Unrepresented).

**EFFECTIVE DATE:** August 30, 2004