

POLICY AND PROCEDURE DIRECTIVES

EFFECTIVE DATE: July 1, 2015

SUBJECT: Maintenance of Medical Information Filing System

REFERENCE #: WIOA 01-05

All information about the health, medical care, or medical status of employees and participants is confidential information. “Confidential information” can be written or unwritten, and includes both records of medical care or treatment and financial information regarding payment for medical care. All participant and employee health information, including medical and financial information related to the medical payments, is considered confidential information. No employee should read, discuss or obtain such confidential information unless the employee’s job responsibilities require doing so. Most importantly, confidential information may not be disclosed to anyone outside the Northwest Workforce Development Council. Disclosure of confidential information would be a very serious violation of this policy, and would make the person violating this policy subject to discipline or termination. It would also violate federal law, as the Health Information Portability and Accountability Act of 1996 HIPAA requires those who work with participant health information to maintain such information as strictly confidential.

Definition of Health Information

The HIPAA Rules apply to individually identifiable health information, whether written or oral and regardless of its format. Any employee receiving the kind of information described below must maintain the confidentiality of that information.

- Information that was created or received by a health care provider, health plan, employer or health care clearinghouse, this includes any case notes, chart entries or treatment notes, that relate to health information.
- Information that is related to an individual’s physical or mental health or medical condition in the past, present or future; health care provided or to be provided to an individual or payment for health care provided to and individual in the past, present or future.
- Information that identifies an individual, employee or participant, or provides a reasonable basis for doing so.

Appropriate Maintenance of Health Information

Each facility of the Northwest Workforce Council (NWC) will maintain a separate locked filing system for confidential health and medical care information. Access to these locked files will be restricted to employees whose job responsibilities require them to work with this information.

All staff are responsible for assuring that confidential information is segregated from generally available information, and kept in the confidential information filing system. A staff member who comes across or becomes aware of any health information on applicants, participants or employees should assure that the information is removed from its location and put into the secured filing system.

A limited exception applies to health information which must be known to a person's coworkers or supervision in order to assure safe working conditions for that person or coworkers or to facilitate accommodation of a disability. The necessary medical information may be retained in the employee's personnel file, but information that is not directly necessary for these purposes shall be segregated and maintained in the medical filing system rather than in personnel or working files.

Collection of Health Information

Staff should limit the collection of health information to only that which is necessary to perform the functions of their duties. For program applicants and participants, staff may need to know functional limitations and or accommodations needs, but do not need to document and collect diagnosis or medical information.

Violation of Policy

Unauthorized disclosure of participant health information or other confidential information can subject the disclosing employee and NWC to civil and criminal liability. Disclosure of this information is grounds for immediate disciplinary action up to and including termination of employment.

Employee Confidentiality Agreement (HIPAA Compliance)

This confidentiality is a condition of staff employment. This information shall not be disclosed to anyone under any circumstances, except to the extent necessary to fulfill an individual's job duties or as required by law. Medical information may be released under the circumstance that the participant or applicant approved this through a signed release form approved for release of medical information.

This duty to maintain confidentiality continues even after leaving the employment of the NWC.

Approval from the Deputy Director or designee must first be obtained before any disclosure information of confidential information is made that is not otherwise permitted under this Policy. Unauthorized disclosure of participant health information and other confidential information is grounds for disciplinary action, up to and including immediate termination from employment.