

Effective Date: August 1, 2013 Revised: November 1, 2018

### **POLICY**

INFORMATION MANAGEMENT, PRIVACY AND SECURITY, RESEARCH AND SCHOLARLY ACTIVITIES

# HIPAA Policy Manual – Privacy and Security of Protected Health Information for BU Healthcare Provider Covered Components

RESPONSIBLE OFFICE

Research Compliance

## **Table of Contents**

Section	Name
HCP Introduction	HIPAA at Boston University
	Privacy and Security
	Policy Responsibility

Section	Name
HCP Policy 1	HIPAA Basics
	1.1 HIPAA Covered Components
	1.2 Key Roles
	1.3 What is PHI?
	1.4 De-Identified PHI
	1.5 The Covered Component's Designated Record Set
	1.6 The Covered Component's HIPAA Workforce
	1.7 Access to PHI
	1.8 HIPAA Training
HCP Policy 2	Individual Responsibilities for Safeguarding PHI
	2.1 Safeguarding Paper and Other Tangible PHI
	2.2 Safeguarding Verbal PHI
	2.3 Safeguarding Electronic PHI
HCP Policy 3	Using PHI in Treatment, for Payment, and for Healthcare Operations; Business Associates
	3.1 Overview
	3.2 Minimum Necessary Rule
	3.3 Special Rules for PHI in Limited Data Sets
	3.4 Patient Authorization Not Needed for Treatment Purposes
	3.5 Using PHI for Payment Purposes
	3.6 Using PHI for Health Care Operations Purposes

Section	Name
	3.7 Routine Disclosures to an Individual's Family and Friends
	3.8 Sharing PHI with the Patient's Other Providers and Health Plans
	3.9 Disclosing PHI to Business Associates
HCP Police 4	Uses Requited or Permitted by Law: Prohibited Uses of PHI
	4.1 Required by Law
	4.2 Prohibited Uses of PHI: Marketing; Sale; non-BU Purposes
	4.3 Fundraising and Promotion
HCP Policy 5	Situations in which Authorizations and Attestations are Necessary
	5.1 General Rules on Authorization
	5.2 Parents, Guardians, and Minors
	5.3 Legally Authorized Representative of an Adult Patient
	5.4 After a Patient's Death
	5.5 Research: Authorizations and Waivers
	5.6 Students and Observers
	5.7 Using PHI in Publishing
HCP Policy 6	Individuals' Rights under HIPAA
	6.1 Right to Notice of Privacy Practices
	6.2 Right to Access and Copy Own Health Record
	6.3 Right to Request Amendment

Section	Name
	6.4 Right to an Accounting of Disclosures
	6.5 Right to Request Restriction
	6.6 Right to Request Confidential and Alternative Modes of Communication
	6.7 Right to Complain
HCP Policy 7	Breaches
	7.1 Obligation to Report Potential Breaches
	7.2 No Retaliation
	7.3 Investigation and Remedial Action for Reports of Potential Breaches
	7.4 Breach Notifications
HCP Policy 8	HIPAA Security Program Philosophy Defined Terms
	8.1 Identify
	8.2 Protect
	8.3 Detect: Information System Activity Reviews
	8.4 Respond
	8.5 Recover Contingency Planning; Emergency Mode Operations: Recovery
HCP Policy 9	Enforcement and Sanctions
HCP Policy 10	Documentation and Retention

Section	Name
HCP Policy 11	Exceptions
HCP Policy 12	<u>Definitions</u>
HCP Appendix	Appendix A – HIPAA Contacts

Last updated: November 2018

**END OF POLICY TEXT** 

# **Additional Resources Regarding This Policy**

Related Policies, Procedures, and Guides

- HIPAA
  - HIPAA Policies for BU Health Plans
  - HIPAA Information for Charles River Campus Researchers
- Data Protection Standards
- Sensitive Data Incident Response
- FERPA Policy
- Access to Electronic Information Policy
- Digital Privacy Statement
- Conditions of Use and Policy on Computing Ethics
- Network Security Monitoring Policy
- Information Security Policy
- Listing of related BU TechWeb Policies

## **Related Procedure**

Policy Violation Notification Procedure

### **BU Websites**

- HIPAA at Boston University
  - FAQ's
  - Forms for Health Care Providers
  - HIPAA for BU Researchers
  - HIPAA Data Security Tips
  - Report a Possible HIPAA Breach
- HIPAA Information on the BU Research Support Website

Categories: Information Management, Privacy and Security, Protected Health Information - HIPAA, Protected Health Information - HIPAA and Research, Protected Health Information - HIPAA for BU Healthcare, Research and Scholarly Activities, Research Compliance and Safety Keywords: HIPAA