

Policy and Procedures

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Title: Confidentiality / Privacy

Date issued / last revision: April 27, 2004

Date effective: Immediately

Confidentiality / Privacy

Statement:

Cooperstown Medical Transport, Inc. (CMT) is committed to upholding the confidentiality of records and other pertinent data relevant to all patients, company files, and information.

Purpose:

This policy is to protect our patient's rights to privacy and confidentiality. This policy also outlines some of our HIPAA compliance policies.

Scope:

This policy applies to all CMT employees, student interns and observers.

Policy:

1. All employees must understand and sign a confidentiality statement at the time of hire.
 - a. Confidentiality statements will reflect the level of access for the employee's position.
2. Access to confidential and personally identifiable information may be allowed or restricted based on a need to know.
 - a. A need to know is based on an individual employee's position within the company.
 - b. If an employee fills more than one position within the company, they may access records only to the level allowed by the position they are currently working in. i.e. a dispatcher has few restrictions to PIP but when he/she is working a road shift the access is limited to only those calls he/she participated in.
3. The following is a list of positions within the company that **may** have *full* access to patient records for the performance of their job. Refer to each position's job description for further information.
 - a. President
 - b. Secretary / Treasurer
 - c. Director of Operations
 - d. Field Supervisor
 - e. Senior Dispatcher
 - f. Dispatcher
 - g. Director of Training
 - h. CQI Administrator
 - i. Accounts Manager
 - j. Medical Accounts Specialist
4. The following is a list of positions within the company that **may** have *limited* access to patient records for the performance of their job. Refer to each position's job description for further information.

- a. Medical Director
 - b. Environmental Health and Safety Officer
 - c. Emergency Medical Technician – Paramedic
 - d. Emergency Medical Technician – Critical Care
 - e. Emergency Medical Technician – Intermediate
 - f. Emergency Medical Technician - Basic
 - g. Ambulance Driver
 - h. Information System Technician
5. The following is a list of positions within the company that have *no* access to patient records for the performance of their job. Refer to each position’s job descriptions for further information.
- a. Supply Coordinator
 - b. Fleet Manager
 - c. Maintenance Technician
 - d. Human Resources Manager
 - e. Webmaster
 - f. Bike Patrol Coordinator
6. Prehospital Care Reports and associated paperwork should not be left unattended at any time.
- a. All paperwork should be kept out of public view inside a CMT vehicle, deposited in a secure mailbox at the CMT stations, or turned into the on duty dispatcher or authorized supervisor / administrator.
 - b. At no time will a PCR or associated paperwork be taken home. Refer to *PCR Completion / Documentation* policy for further information.
7. All personally identifiable information, as well as any confidential information, should be secured in an appropriate location when not in use.
8. Information that can be considered personally identifiable include, but are not limited to:
- a. Name
 - b. Address
 - c. Social security number
 - d. Birth date
 - e. E-mail address
 - f. Photographs of patients
 - g. Insurance ID or policy number
 - h. Telephone or fax number
 - i. Patient’s voice recording
9. All employees should log off the computer network when not in attendance of their terminal. Refer to *Computer System Use* policy for further information.
10. As an employee of this company and a certified NYS provider you may not discuss matters concerning particular patients with any one except:
- a. Your partner(s) that participated in patient care
 - b. Other health care providers and support staff for a continuation of patient care
 - i. This includes employees as well as non-employees

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- c. During the Continuous Quality Improvement (CQI) process. Refer to *CQI Program* policy for further information
 - d. Reasonable care should be taken not to discuss matters concerning patients within earshot of anyone who does not have a need to know.
11. All non-employees should be escorted in any non-public areas of the stations to prevent against confidential and personally identifiable information being disclosed or seen by unauthorized personnel.
12. There are times when an incidental disclosure of information may unavoidable.
 - a. If you hear or see information that you do not have a need to know, you must keep this information confidential.
 - i. This can include personally identifiable patient information and/or confidential company information.
13. The patient or their legal representative must authorize, in writing, any release of personally identifiable information not used for internal CMT operations, quality improvement (CQI) and billing purposes.
 - a. The individual requesting records will have their authority verified. Refer to *Release of Information* policy for further information.
 - b. Any authorization must be attached to the original paperwork.
14. All patients will be provided with a current copy of CMT's notice of privacy practices.
 - a. Patients or their legal representative will be asked to sign an acknowledgement for receipt of CMT's notice of privacy practices.
15. CMT's current notice of privacy practices will be displayed in all areas of the station where the public has routine access.
 - a. The inside of an ambulance is exempted from displaying a notice of privacy practices.
16. The Accounts Manager and the CQI Administrator will be designated as a point of contact for privacy / confidential issues.
17. All records containing confidential or personally identifiable information and that are no longer required for company use or for legal reasons, will be disposed of in a manner that will make the information unusable.
 - a. An example would be shredding, burning, or in the case of electronic data, magnetic exposure.
18. All employees will have training on confidentiality and privacy practice.
19. All companies that do business with CMT and handle, or have access to, personally identifiable health information must have a business associate agreement in place.
20. All business of CMT is confidential and shall not be disclosed to persons outside of CMT except as directed by a Supervisor or as required by due process of law.
 - a. Refer to General Rules of Conduct for further information.

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21. Any breach of confidentiality can result in administrative action, up to and including termination and/or legal action.