

Lifespan System-wide Policy **Subject:** **File under:**
Volunteer/Observer/Student **CCPM - 70**
Privacy Training

Issuing Department: **Latest revision date:**
Corporate Compliance

Original Policy Date: **Page** 1 of 3 **Approved by:**
April 1, 2003

(Privacy Officer)

(Lifespan CEO)

I. Purpose:

The purpose of this Policy is to standardize HIPAA Privacy awareness training for all Lifespan Volunteers, Students and Observers, and to help ensure that reasonable steps are taken to protect the privacy of Lifespan patients' Protected Health Information (PHI) based upon the extent to which it may become known to these individuals.

II. Eligibility:

This policy applies to all Lifespan Volunteers, Students and Observers and to the Lifespan Professional staff associated with these individuals.

III. Policy:

The HIPAA law obligates Lifespan to train all members of its workforce in its policies and procedures with respect to PHI, as necessary and appropriate for the members of the workforce to carry out their functions within Lifespan. Lifespan has determined that the persons covered by this policy either are part of the Lifespan workforce, or that their exposure or potential exposure to PHI is significant enough to warrant HIPAA training, or at least a grounding in the principles of patient confidentiality. The content of any required HIPAA training received will be tailored to the particular function of the person, with the intensity of the training increasing in proportion to the person's level of access to PHI. For persons with incidental to minimal exposure to PHI, signing the Lifespan Confidentiality Statement (*see* Attachment A to this Policy) is deemed adequate to meet Lifespan's obligations.

In most cases, no patient authorization will be required prior to the disclosure to or use by the persons covered by this policy of PHI. This is so because most of the persons covered by this policy will either be part of the Lifespan workforce (meaning generally that they perform work on behalf of Lifespan, and are under the direct control of Lifespan while at work), or their exposure to PHI will be incidental—both of which situations provide an exception to the HIPAA authorization requirements. In some cases, however, if these exceptions do not apply, patient authorization or a business associate agreement may be required. Please refer to CCPM # 60 (Patient Authorization) and CCPM # 56 (Business Associates) for more information, and direct your questions as indicated in Section 4.2 of this Policy.

IV. Procedure:

4.1 Categories of Persons and Level of Training Required

All **Observers** at Lifespan for a one time only (short duration) period of time and who may be exposed to (PHI) during the experience will sign the Lifespan Confidentiality Statement (*See Attachment A*). The signed Statement will be maintained in the department for six years. Examples: Emergency Department observers, Explorers, Boy/Girl Scouts, School to Career Program.

All **Observers/Students** at Lifespan for a limited period of time (less than 3 weeks) and who may be exposed to PHI during the experience will participate in some version of a Lifespan Privacy training session as defined by the department to meet minimal standards. Also, these Observers/Students will sign a Lifespan Confidentiality Statement. The Statement and the training session attendance sheets will be maintained in the department for six years. Examples: Medical students, nursing students, respiratory therapy students.

All **Students** at Lifespan for an extended period of time (greater than 3 weeks) and who may be exposed to PHI during the experience will participate in the same version of the Lifespan Privacy training as rendered to all departmental staff. The department will maintain the training session attendance sheets for six years. Examples: Medical students, nursing students, respiratory therapy students.

All **Volunteers** at Lifespan who may be exposed to PHI during the experience will participate in the full Lifespan Privacy Training Session as customized by the Volunteer Department. Examples: All Lifespan volunteers, including summer student volunteers.

Visitors to a Lifespan facility, for example, a class tour, should be verbally reminded of the importance of maintaining patient privacy. No other action is necessary.

4.2 Process

If a Lifespan Employee or a Lifespan Professional Staff member has a *question concerning the interpretation or applicability* to a particular circumstance of any of the laws or regulations referred to in this Policy, such Lifespan Employee or Lifespan Professional Staff member should first consult with his/her supervisor(s) and if his/her supervisor(s) is unable to answer the question or provide any guidance or, if, because of the circumstances, it would be inappropriate to discuss the matter with his/her supervisor(s), then such Lifespan Employee or Lifespan Professional Staff member should contact the Lifespan Compliance/Privacy Officer or the Office of the General Counsel for advice. If any Lifespan Employee or Lifespan Professional Staff member is aware of any violation or threatened or potential violation of this Policy, or *suspects* a violation of this Policy has occurred, such Lifespan Employee or Professional Staff member must refer to the Policy on Code of Conduct for instruction as to what action to take. No adverse action will be taken against any party who reports, in good faith, any violation or apparent or threatened violation.