Administrative Procedures

Health Insurance Portability and Accountability Act of 1996 ("HIPAA")

A. Definitions

Covered Component: A School District office, department or division subject to the HIPAA Privacy Rule.


Health Information: Information that relates to the past, present, or future physical or mental health or condition of an individual, or that relates to the provision of health care in the past, present, or future.

Individually Identifiable Health Information: Health information and demographic information that identifies an individual or for which there is a reasonable basis to believe can be used to identify an individual.

Privacy Rule: HIPAA standards for privacy of individually identifiable health information at 45 CFR Parts 160, 162, and 164.

Protected Health Information ("PHI"): Individually identifiable health information that is used or maintained by the School District or a covered component regardless of form or how transferred. PHI excludes, among other things, individually identifiable health information in education records covered by FERPA, as amended, 20 USC 1232g, including records described at 20 USC 1232g(a)(4)(B)(iv). PHI further excludes School District employment records, kept by the District in its role as an employer.

B. Declaration of Policy and Designation of Privacy Officer

When applicable, the School District will comply with HIPAA to maintain the privacy of PHI that it receives, obtains, transmits, or sends. The District designates as its Privacy Officer the Human Resources Manager, or such other official as may be designated in writing by the Superintendent or Board of Education.
C. Development of Procedures and Training

The School District shall develop administrative procedures necessary to comply with HIPAA. The District shall train those employees who work in areas covered by the HIPAA Privacy Rule and who have access to PHI to follow appropriate procedures to ensure PHI is not disclosed except as allowed by law.

D. Violations

Employee violation of this policy, or of administrative procedures developed thereunder, may subject the violator to disciplinary action for misconduct, in accordance with applicable School District contracts, policies, and procedures. Reports of suspected violations should be reported to the School District’s Privacy Officer, or his/her designee.

E. No Retaliation

The School District will not intimidate, threaten, coerce, discriminate or retaliate against an individual for exercising any rights under, or participating in any applicable process established by, HIPAA and its Privacy Rule, provided the person has a good faith belief that the practice is unlawful, and the manner of opposition is in accordance with applicable law.

F. Interpretation

This policy shall be interpreted, and amended as necessary, to permit compliance with the HIPAA Privacy Rule.