

TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL HIPAA POLICIES

SANCTIONS FOR PRIVACY VIOLATIONS

Effective Date: March 17, 2003

POLICY

An employee who violates the Privacy Rule or the privacy policies developed by HEBP will be sanctioned appropriately.

PROCEDURE

- Individuals who perform Health Plan functions are provided with training and retraining as necessary to ensure they understand Health Plan's privacy policies and procedures, the requirements of the Privacy Rule and the expectation that they will comply with them.
- Sanctions are applied against any employee who violates HEBP privacy policies and procedures or the Privacy Rule.
- Appropriate sanctions are determined based on the nature of the violation, its severity and whether it was intentional or unintentional.
- Sanctions may include verbal warnings, written warnings, probationary periods or termination.
- Any sanctions applied are documented and retained for a period of six (6) years.
- Sanctions are not applied against employees who lodge a complaint with any entity regarding a privacy violation or who refuse to follow a policy or procedure that they believe, in good faith, violates the Privacy Rule.