

Central Maine Healthcare

Administrative Policy No. HC-GA-1026(R2) General Administrative

SUBJECT: Confidentiality of Patient Information and Other Information

I. Patient Information

Our patients have a right to privacy; a right to control the release of their information; to be free of unwarranted publicity; and to know their information will not be disclosed without their authorization.

All patient information, provided during any course of care is considered privileged communication. This privileged communication and the information secured as a result binds the professionals/health care providers from unauthorized disclosure.

Such information is considered strictly confidential and private. All employees must recognize their professional and legal responsibilities to prevent unauthorized disclosure. Any unauthorized disclosures could seriously impair our ability to fulfill patient care obligations.

- A. All employees are responsible for protecting the confidentiality of our patients' information. Any disclosure of patient information between employees shall be strictly limited to what they need to know to fulfill their job responsibilities. Any disclosure of patient specific information shall be strictly limited to what is required to fulfill the purpose(s) stated on the patient's or his/her legal guardian/representative's written authorization or as mandated by law.
- B. Disclosure of patient information shall be as permitted by State and Federal law. The patient or his/her legal representative controls disclosure of his/her information via written authorization (verbal authorization may be acceptable in special circumstances such as emergency situations utilizing the callback method prior to releasing any information). It is recognized that mandatory disclosures of patient information must occur as per State and Federal requirements.
- C. Release of information to the media shall be managed by an authorized administrative CMH representatives (see Release of Information to the Media, HC-GA-1021).
- D. Release of Information:
 - 1. Release of information from CMH medical records of previous treatment is to be managed by Health Information Management (see Ownership of the Medical Record and Release of Information, HC-PA-2031) and any request regarding prior patient care shall be referred to that Department and will be processed according to approved departmental policies and procedures.
 - 2. Release of information from CMH medical records will be managed by the appropriate offices according to the practices' policies and procedures.

- E. Requests by patients, family members, or others for information from a patient's medical record during the course of treatment will be referred to the attending physician or primary care provider. Other requested patient information will be referred to the appropriate organizational representative.
- F. To ensure security of confidential patient information, the following guidelines apply:
- Paper information should be under the direct visual supervision of appropriate staff at all times.
 - When a patient requests to review his/her medical record, the appropriate physician will be notified and an organizational staff representative will be designated to be present during this review; requests to review other patient information will be referred to the appropriate organizational representative.
 - Information appearing on computer screens will be protected by the user whenever possible by signing off before leaving the workstation; additionally, precautions should be taken by the user to prevent unauthorized viewing of confidential information appearing on the screen by using privacy screens as appropriate.

Electronic Distribution of Information (e.g., internal e-mail, FAX, file transfer, etc. – see On Demand Fax Policy HC-HI-5005(R2) and Information Classification HC-IT-7038) Will be permitted as authorized by departmental policies and procedures.

- G. All discussions concerning patients should be held in private areas where these conversations cannot be overheard, and should be restricted to those individuals needing information to fulfill specific job responsibilities for patient care.
- H. In situations involving State of Maine and/or federally or locally mandated reporting, reports shall be made as required by law. Policies covering these situations include but are not limited to:

HC-IC 10 204.1.12	Reporting Notifiable Diseases in Patients and Staff
HC-PA-2044	Abused or Neglected Children
HC-PA-2015	Reporting Cases of Adult Abuse
HC-PA-2019	Medical Examiner Cases

II. Expectations for Maintaining Confidentiality

- A. The following types of information will be treated as confidential and held to the same standard with regards to access and release as patient information:
- Physician information (peer review, credentialing, performance improvement, utilization management, etc.).
 - Human Resource and any employee information, etc.
 - Financial; reimbursement, payor, etc.

- Regulatory agencies' compliance/reports, including responses to same.
 - Marketing and any organizational planning initiatives/activities.
 - Committees and other meetings activities/exchanges.
- B. Upon receipt of written or electronic authorization from a Manager, access to confidential information on the computer system will be restricted and granted by the need to know as defined in this S.O. All passwords and access codes are confidential and are not to be disclosed or used by anyone other than the individual to whom they were assigned.
- C. Any breach of confidentiality will result in disciplinary action, possibly including termination of employment.
- D. All employees will be made aware of their responsibilities by reviewing this policy and will acknowledge these responsibilities in writing.
- E. At the time of initial employment and annually, all employees will sign the "Confidentiality Statement for Central Maine Healthcare" (attached).

Note: Administrative and managerial support are critical in addressing the above issues.

Cross Reference:

Guiding Concepts for Patient Care and Business Practice, HC-GA-1001
Release of Clinical Information, RH-GA-1114
Release of Information to the Media, HC-GA-1021
Ownership of the Medical Record and Release of Information, HC-PA-2031
On Demand Fax Policy HC-HI-5005
Information Classification HC-IT-7038

President and CEO
(Signature on File)

Effective: October 6, 2005

Supersedes: CMMC S.O. 1:1.30(R3)
Organizational Confidentiality, RH-GA-1109
Confidentiality Statement HP 36, HP36A

Revised: October 23, 2013

Reviewed: November 18, 2016

Addendum to Confidentiality of Patient Information and Other Information

Confidentiality Statement for Central Maine Healthcare

As an employee of Central Maine Medical Family (including subsidiary corporations), you will have access to confidential information related to your subsidiary corporation and others within our system. The purpose of this statement is to assist you in understanding what information is confidential and how confidential information should be treated.

What is Confidential Information?

1. Patient Information

All information concerning our employees, patients or customers is confidential, even if that person is your family member, relative, friend or neighbor. For example, the simple fact that an individual is a patient anywhere within our organization is confidential information.

2. Other Information

All information related to the finances of the organization, including pricing, statistics or department budgets is confidential.

All information contained in our employees' personnel records or our physicians' credentialing records is confidential. Requests for any information concerning employees (including routine verification of employment) should always be directed to Human Resources and information concerning physicians should be directed to Medical Affairs.

All information concerning our computer systems (including access codes and passwords), strategic plans, internal communications and similar information is confidential.

A GOOD RULE TO FOLLOW: IF YOU ARE NOT SURE THAT CERTAIN INFORMATION IS CONFIDENTIAL, TREAT IT AS THOUGH IT IS.

How should Confidential Information be treated?

Confidential information should never be accessed by or shared with anyone, including another employee, who does not have a legitimate job related and described need to know it.

Confidential information should not be left in readily accessible areas or in an unattended manner. Confidential information should always be secured and under appropriate supervision.

Confidential information should never be shared outside the organization unless expressly authorized in writing, approved by your manager and your job requires such information exchange.

Confidential information must never be openly discussed in any public place (such as hallways, elevators, dining areas, stairwells, etc.) within the organization or in any public location outside the organization. Always be certain that any discussions involving confidential information are heard only by those who have a legitimate, job-related need to know the information. Be careful of who is within earshot and thus may be able to hear.

Addendum to Confidentiality of Patient Information and Other Information

What are my expectations as an employee?

- Access information only when you have a legitimate job-related need to know it.
- Employees may **not** access their own chart. All requests, signed authorization forms, for copies of charts should be submitted to the Health Information Management department.
- Questions concerning your care should be directed to your doctor or the nurse involved with your care.
- An employee may not access members of their family's charts or any other chart where they are not involved in the patient's direct care.
- Sharing or using access codes and passwords is prohibited and will result in disciplinary action which may include termination
- If you believe that any confidential information has been accessed or disclosed inappropriately, or misused in any way you must report that to your supervisor/manager immediately.
- The privacy of our patients is of utmost importance. The privacy of our physicians and employees, as well as the success of our organization is vitally important. Therefore, your continued employment is dependent on the way you treat confidential information. If you access, disclose or in any way misuse any confidential information, you will be disciplined and that discipline may include termination of employment. If you have any questions at any time concerning confidentiality, please direct them to your supervisor/manager.
- All incidents concerning a breach of patient confidentiality are investigated. The appropriate disciplinary action will be taken up to and including immediate termination of employment.
- If you leave the organization, remember that what you learned here is confidential. The organization's confidential information is proprietary. That means it is "owned" by the organization and cannot be shared by anyone, including a former employee, without the organization's written consent.

I have read, understand and agree to the above: Yes ☐ No ☐

By attaching your electronic signature, you agree and acknowledge your responsibility to abide by the policies and procedures contained in this document.

Signature:

Date Signed:

Check Corporate Entity

☐ CMMC ☐ BH ☐ RH ☐ Bolster ☐ Rumford Community Home

☐ CMMF ☐ CMHVI ☐ CMCH ☐ AHS