

Operational Policy

Policy title:	Privacy Policy		
Policy number:	ODHS OHA 100-001		
Original date:	09/20/2013 (OHA only)	Last update:	(Joint ODHS OHA) 01/10/2022
Approved:	Kris Kautz, Deputy Director Oregon Health Authority Don Erickson, Chief Administrative Officer Oregon Department of Human Services		

Purpose

This policy is one of a series that outlines Oregon Department of Human Services (ODHS) and Oregon Health Authority (OHA) expectations for the necessary collection, use, and disclosure of protected health information about individuals in order to provide services and benefits while maintaining reasonable safeguards to protect the privacy of their information.

Description

This policy establishes a framework for compliance and responsibility regarding privacy protections of ODHS|OHA.

Applicability

This policy applies to all OHA staff (see OAR 943-014-0015) and ODHS staff working in Business Associate programs (see ODHS 100-013) including employees, volunteers, interns and agency contractors. This definition of staff aligns with the HIPAA definition of workforce.

As keepers of the public trust, ODHS|OHA workforce has a responsibility to comply with state and agency policies, administrative rule, and state and federal law. ODHS|OHA takes this responsibility seriously and failure to fulfill this responsibility is not treated lightly. Individuals who fail to comply with state or agency policy, administrative rule, or state and federal law may face progressive discipline, up to and including dismissal from state service.

Policy

1. ODHS|OHA shall implement controls and processes to limit the collection, use, disclosure and storage of protected information to the minimum necessary information to accomplish the required business goals.
2. ODHS|OHA staff shall safeguard protected information consistent with federal and state statutes, rules, and regulations.
3. ODHS|OHA staff shall follow all agency policies and procedures regarding the confidentiality and security of protected information.

4. ODHS|OHA staff shall make reasonable efforts to use or disclose only the minimum amount of information necessary to provide services and benefits and only to the extent provided for in federal and state statutes, rules and regulations, and Agency policies and procedures.
5. ODHS|OHA staff shall complete security awareness training on an annual basis. This training outlines individual roles and responsibilities in protecting the privacy and security of the Agency's protected information.
6. ODHS|OHA departments and programs shall implement this privacy policy by:
 - a. Assigning and delegating responsible parties for adherence and implementation to this policy.
 - b. Providing the policy or making the policy available wherever possible.
 - c. Distribution of the policy to each new employee, contractor or to anyone who will access confidential and protected information.
7. If a conflict between policies or governing regulations arises, ODHS|OHA staff will consult with the Privacy Compliance Officer or a representative of the Information Security and Privacy Office to resolve the conflict.

References

[45 CFR 160 General Administrative Requirements](#)

[45 CFR 164 Security and Privacy](#)

[OAR 943-014-0015 Covered Entity Status for Purposes of the HIPAA Privacy Rules](#)

Policies

[DHS 100-003 Uses and Disclosures of Individual Information](#)

Contact

Information Security and Privacy Office (ISPO)

Phone: 503-945-5780 (Privacy)

Email: dhs.privacyhelp@dhsoha.state.or.us

U. S. Department of Health and Human Services, Office for Civil Rights

Medical Privacy, Complaint Division

200 Independence Avenue, SW

Washington, D.C. 20201

Toll free Phone: 877-696-6775

Phone: 866-627-7748

TTY: 886-788-4989

Email: OCRCComplaint@hhs.gov

Policy history

Version 1 OHA 100-001 established 07/22/2014

Version 1 OHA 100-001 reviewed 10/03/2016

Version 2 ODHS|OHA 100-001 established 01/10/2022

Keywords

Awareness, disclosure, Health Insurance Portability and Accountability Act, HIPAA, protected health information, PHI, safeguard, training, personally identifiable information

This document can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request this document in another format or language, contact the Publications and Design Section at 503-378-3486, 7-1-1 for TTY, or email dhs-oha.publicationrequest@state.or.us.