

HIPAA Compliance Program of Schiffman Clinic of Chiropractic

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Document Name: HIPAA Compliance Policy and Procedures	
For Further Information Contact A HIPAA Compliance Official:	
Security Official: Victoria Schiffman	Telephone: 574-251-0000
Privacy Official: Victoria Schiffman	Telephone: 574-251-0000
Effective Date: 04/06/2015	Date of Last Review: 04/06/2015

PURPOSE

The purpose of this Policy and these Procedures is to confirm that Schiffman Clinic of Chiropractic shall comply with the federal law protecting the Privacy and Security of Health Information in accordance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended by the Health Information Technology for Economic and Clinical Health Act, Sections 13400-13424, American Recovery and Reinvestment Act of 2009, Public Law 111-5, any future amendments to the law and all federal regulations in effect that are authorized by the law. The sections of the law and federal regulations protecting Health Information Privacy and Security are commonly referred to simply as "HIPAA".

POLICY

1. Schiffman Clinic of Chiropractic formally declares that it has established and shall develop and maintain the Organization's HIPAA Compliance Program to carry out the purpose stated above.
2. The HIPAA Compliance Program of Schiffman Clinic of Chiropractic shall comply with federal statutory law and federal regulations now known as the Privacy Rule, Security Rule, Breach Notification Rule and Enforcement Rule set forth in set forth in Title 45 of the Code of Federal Regulations at Parts 160, 162 and 164 and shall be maintained and updated as necessary to incorporate any future changes in federal HIPAA law or regulations.
3. The HIPAA Compliance Program of Schiffman Clinic of Chiropractic shall consist of all HIPAA Policies and Procedures it establishes, maintains, executes and documents. Its HIPAA Policies and Procedures, including its HIPAA Risk Analysis and Risk Management Process shall be the Administrative, Technical and Physical Safeguards required to protect the Privacy of Protected Health Information (PHI) and the Security of Electronic Protected Health Information.

PROCEDURES

Designate HIPAA Compliance Officials

1. Schiffman Clinic of Chiropractic shall designate HIPAA Compliance Officials in accordance with Policy HIPAA-2, Privacy Official and HIPAA-3, Security Official who shall be responsible for development and implementation of the Policies and Procedures of the HIPAA Compliance Program of Schiffman Clinic of Chiropractic as required by HIPAA law and the Privacy Rule, Security Rule, Breach Notification Rule and Enforcement Rule.

Implement HIPAA Compliance Policies and Procedures

2. Schiffman Clinic of Chiropractic shall implement the Policies and Procedures of its HIPAA Compliance Program developed in accordance with paragraph 1.

HIPAA Compliance Workforce Training

3. Schiffman Clinic of Chiropractic shall train its Workforce to follow its HIPAA Compliance

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The HIPAA E-Tool®

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Program. Workforce includes employees, volunteers, trainees and other Persons whose conduct, in the performance of work for Schiffman Clinic of Chiropractic, is under the direct control of Schiffman Clinic of Chiropractic whether or not they are paid by Schiffman Clinic of Chiropractic.

4. A HIPAA Compliance Official shall be responsible for Workforce Training about the HIPAA Compliance Program of Schiffman Clinic of Chiropractic that shall include:
 - A. Training about specific HIPAA Policies and Procedures that apply to a Workforce Member's day-to-day duties and responsibilities and is necessary for the Workforce Members to carry out their functions and
 - B. Familiarization Training about Policies and Procedures that may not apply to the day-to-day duties of a Workforce Member in order to create and maintain a culture of HIPAA compliance and awareness throughout the Organization.
5. Schiffman Clinic of Chiropractic shall provide training about its Basic HIPAA Policies and Procedures (HIPAA-1 through HIPAA-6) and Familiarization Training about its HIPAA Compliance Program as part of the orientation process of each new Workforce Member.
6. Schiffman Clinic of Chiropractic shall obtain the written commitment of each Workforce Member to comply with its HIPAA Compliance Program. Form HIPAA-1.A, Confidentiality Agreement, provides guidance for the written commitment. (Note: Procedures of the Organization's HIPAA Compliance Program concerning Workforce Members including Sanctions must be consistent with applicable employment law and employment policies of Schiffman Clinic of Chiropractic).
7. Schiffman Clinic of Chiropractic shall provide regular and periodic refresher HIPAA Compliance Program Training and such new Training as may be required by a change in the duties and responsibilities of a Workforce Member or a revision of Policies and Procedures.
8. Schiffman Clinic of Chiropractic shall document all Workforce Training concerning its HIPAA Compliance Program. Form HIPAA-1.B, Workforce Training Record, may be used to maintain Documentation of Workforce Training or for guidance in creating the Organization's unique Workforce Training Documentation Procedure.

HIPAA Risk Analysis

9. Schiffman Clinic of Chiropractic shall conduct a HIPAA Risk Analysis in accordance with Section 3, HIPAA Risk Analysis, and Policy RA-1 at least once in every 12 month period and establish and modify its Risk Management Program and other elements of its HIPAA Compliance Program as appropriate based on the results of its HIPAA Risk Analysis.

Business Associates

10. Schiffman Clinic of Chiropractic shall follow the Policy and Procedures of Section 7 regarding Business Associates that create, receive, maintain or transmit PHI on behalf of the Organization including a Due Diligence inquiry and maintenance of an up-to-date Business Associate Agreement with each Business Associate.

Review, Revise and Update HIPAA Compliance Program as Appropriate

11. Schiffman Clinic of Chiropractic shall review its HIPAA Compliance Program regularly with Legal Counsel and such other expert advisors who, if not members of its Workforce, are

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duly qualified as Business Associates in accordance with BA-1, Business Associate Contract and Compliance (Business Associate Agreement), and make such revisions and updates to its Policies and Procedures that may be necessary and appropriate including complying with State Law that is not pre-empted by HIPAA or respond to specific issues identified in its Risk Analysis, subsequent Evaluations, changing circumstances, Security Incidents or other relevant events.

Note: HIPAA SL, State Health Privacy Law Table, and Form BN-1.F, State Breach Notification Law Table, are provided for the convenience of Legal Counsel. Modification and addition to The HIPAA E-Tool Policies and Procedures recommended by Legal Counsel and other advisors may be made easily by using the Upload/Update button.

Documentation

12. Schiffman Clinic of Chiropractic shall fully document all elements of the HIPAA Compliance Program of the Organization and maintain all Documentation for the length of time required by applicable law.

The HIPAA E-Tool Related Documents

- All sections of *The HIPAA E-Tool*
- HIPAA 1.A, Confidentiality Agreement
- HIPAA 1.B, Workforce Training Record
- HIPAA-2, Privacy Official
- HIPAA-3, Security Official
- PR-14, Workforce Training
- PR-20, Privacy Rule Policies and Procedures
- PR-21, Privacy Rule Documentation
- SR-13, Security Awareness and Training
- SR-37, Security Rule Policies and Procedures
- SR-38, Security Rule Documentation

Citations to Federal Laws

Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended by the Health Information Technology for Economic and Clinical Health Act, Sections 13400-13424, American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Administrative Regulations

Code of Federal Regulations, Title 45, Parts 160 and 164.

Schiffman Clinic of Chiropractic Special Provision