

**BOARD OF REGENTS**  
EASTERN MICHIGAN UNIVERSITY

SECTION: 17
DATE: December 6, 2012

**RECOMMENDATION**  
**ADOPT AND APPROVE HEALTH INFORMATION PRIVACY POLICY**

**ACTION REQUESTED**

Adopt and approve the attached health information privacy policy for Eastern Michigan University.

**STAFF SUMMARY**

Eastern Michigan University currently has in effect several policies relating to the privacy of the health information that it creates and maintains for its faculty, staff, students and other members of the EMU community. The newly created policy, titled HIPAA Protected Health Information Privacy Policy, is designed as an umbrella policy to comply with applicable federal and state laws regarding privacy of health information, to cover all other policies at the University regarding health information, and to demonstrate the Board of Regent's formal commitment to the privacy of all health information created, maintained, and possessed by Eastern Michigan University.

**FISCAL IMPLICATIONS**

None.

**ADMINISTRATIVE RECOMMENDATION**

The proposed Board action has been reviewed and is recommended for Board approval.

**University Executive Officer**

Gloria A. Hage

**Date**

## **HIPAA Protected Health Information Privacy Policy**

On the basis of the Health Insurance Portability and Accountability Act (HIPAA) and other federal and state laws, privacy regulations apply to certain protected health information (PHI). Eastern Michigan University has adopted the following policy to comply with these regulations.

### **Protected Health Information**

PHI is information that individually identifies a patient; is transmitted or maintained in any form or medium; and relates to the patient's past, present, or future:

- Physical or mental health condition;
- Provision of health care, or
- Payment for health care

Such health information includes health status, medical condition, claims experience, receipt of health care, medical history, genetic information, and evidence of insurability and disability.

### **Covered Entities at EMU**

University Health Services (UHS) is the sole covered entity under HIPAA at Eastern Michigan University. To that end, UHS has:

- Established rules on allowable use and disclosure of PHI,
- Granted patients certain rights with regard to their own PHI,
- Adopted Privacy Policies and Procedures designed to protect the privacy and security of PHI.

Further, UHS must still comply with all other applicable laws, including FERPA and Michigan law.

While HIPAA does not govern health information collected by other entities at EMU, such as but not limited to employment records, education records, worker's compensation, short-term disability, long-term disability, medical information received based upon the Americans with Disabilities Act (ADA), medical information received based upon the Family and Medical Leave Act (FMLA), drug screens, pre-employment physicals, there are other privacy laws and regulations that apply to this information and EMU has established appropriate measures to protect such information.

## **University Medical Privacy Policy**

Eastern Michigan University will maintain all protected health information in confidence, and will comply with all federal and state laws concerning medical privacy. Under this policy:

- PHI will be disclosed or shared on a strict need-to-know basis.
- Any PHI will be secured against unauthorized access. These security measures will include locked file cabinets, separation of PHI from other records, password protection for computer records, and confidentiality notices.
- This policy will be applied so as to be in compliance with the HIPAA privacy standard and any stricter state law.