



## **SALISH BHO**

### **HIPAA, 42 CFR PART 2, AND MEDICAID COMPLIANCE STANDARDS POLICIES AND PROCEDURES**

**Policy Name:** HIPAA MANAGEMENT INFORMATION AND CONFIDENTIALITY

**Policy Number:** 5.02

**Reference:** WAC 388-877-0425; 388—877-0600-0650; RCW 70.02; 42 CFR Part 2

**Effective Date:** 4/2016

**Revision Date(s):** 7/2016

**Reviewed Date:** 7/2016; 7/2017; 5/2018

**Approved by:** SBHO Executive Board

## **CROSS REFERENCES**

- Policy: Corrective Action Plans
- Policy: Data Transfer to the STATE and ProviderOne
- Policy: Loading of State Enrollment Data
- Policy: IS Data Submission Procedures

## **PURPOSE**

It is the policy of the Salish Behavioral Health Organization (SBHO) to report required management information to the Department and assure operation of a management information system; and ensure that provider information for persons receiving behavioral health services funded by public dollars is reported to the state behavioral health information system, according to departmental guidelines, and assuring that the individual's right to confidentiality of information is upheld.

## **PROCEDURE**

1. The SBHO contracts with several behavioral health providers. There are four comprehensive Community Mental Health Centers for Mental Health services, all of which utilize a common Electronic Medical Record (EMR) operated by Kitsap Mental Health Services (KMHS). In addition, the SBHO contracts with a number of Substance Use Disorder (SUD) providers. Each provider has a designated Electronic Medical record provider who must abide by SBHO privacy and security

policies and procedures. Each EMR provider ensures a management information system for mental health providers and SUD providers; providers use a behavioral health information system as specified by sub-contract and statement of work for state-wide and/or SBHO management reports and for locating case managers.

2. The SBHO separately maintains an electronic data base which is populated with information from the KMHS EMR as well as with information from the SUD agencies with which the SBHO contracts.
3. The SBHO maintains and requires its providers and subcontractors to maintain confidentiality of information contained in the behavioral health information system in recognition of the individual's right to confidentiality and according to WAC 388-865 and 877; RCW Chapters 70.02, 71.05 and 71.34; and 42 CFR Part 2.
  - a. The SBHO ensures all SBHO, county, provider or subcontractor staff having access to the behavioral health information systems are instructed in the confidentiality requirements through monitoring and review of providers.
  - b. The SBHO, county, provider or subcontractor maintains on file a statement signed by those staff with access to individual identity or information which acknowledges understanding and agreement to abide by these requirements.
4. Contracted provider and subcontractor agencies will adhere to established SBHO data collection and reportage requirements.

## **MONITORING**

This policy is mandated by contract or statute.

1. This policy will be monitored through use of SBHO:
  - Annual SBHO Provider and Subcontractor Administrative Review
2. If a provider performs below expected standards during the review listed above, a Corrective Action will be required for SBHO approval. Reference SBHO Corrective Action Plan Policy.