

## **ODC Confidentiality & HIPAA Compliance**

The Open Door Clinic places the highest priority on protecting the confidences, and the HIV status, of our clients. This makes our clients feel more comfortable, allows them to trust us and avoids the possibility of their suing us under the AIDS Confidentiality Act. All staff and volunteers must abide by the following rules:

**A. Avoid using client's names when non-staff people are in the office.**

If, for example, you answer the phone and a client is calling for a staff member, don't call the person's name. When in doubt, don't shout! If one client is in your office and someone calls you to discuss another case, either don't take the call or excuse the client while you do. If you are at the reception desk and a client is waiting in that area, don't repeat another client's name when taking a phone message. If you are not sure of the caller's name, ask them to repeat it.

**B. Don't leave any client files where they are easily visible.**

People are in and out of the agency all day. Imagine if you came into the office and you saw a file with a friend's name on it lying on a desk. Would you have any faith that the agency is protecting your confidentiality? Find drawers where you can keep all the cases you're working on. At night, all client files should be in locked cabinets.

**C. Don't discuss clients outside the office.**

Not ever. Not with anyone. Period. Never identify anyone as someone you know through your work at the clinic. If you see a client in the community, do not engage them in conversation. If you see a client's picture in the paper do not say to your roommate, "Oh, I saw him at the Clinic the other day." Don't discuss a client's case with them in a crowded elevator at the Social Security office, or in front of other visitors in their hospital room.

**D. Don't use envelopes with "HIV" or "AIDS," printed on the return address for client mail.**

We have two kinds of envelopes: those that have the agency name, and those that don't. Whenever you send something to a client, whether at home or work, use a confidential envelope.

**E. Do not say "HIV" or "AIDS" when answering the phone or leaving a message.**

When we answer an incoming call, we say Open Door Clinic. We do not identify ourselves as an AIDS-specific organization when we answer the phone. Sometimes when you leave for a client, someone else (a family member, co-worker) will return the call. Often the client does not want anyone else to know that he or she has HIV/AIDS. So, we never say "HIV" or "AIDS" in our greeting when we answer the phone. Similarly, we never mention "HIV" or "AIDS" in phone messages we leave for clients. If a client mentions that they have caller ID, ask them if you should use \*67 so that the caller ID will not identify the call as coming from our agency.

**F. When it is necessary to disclose a client's HIV status, always gets a signed release of information from the client allowing that disclosure.**

We have standard forms available for this purpose. Similarly, we should never ask another agency for information that will include a client's HIV status unless we have given that agency a signed

release from the client authorizing the disclosure of that information to us.

**G. When in doubt about a confidentiality issue, ask your supervisor for guidance.**

We can't possibly have thought of every circumstance in which a client's confidentiality might be breached. So stay alert, and if you need more guidance, ask for it.

Security and confidentiality is a matter of concern for all persons who have access to Open Door Clinic information. Each person accessing Open Door Clinic data and resources holds a position of trust relative to this information and must recognize the responsibilities entrusted in preserving the security and confidentiality of this information. Therefore, all persons who are authorized to access data and resources must read and comply with Open Door Clinic policy. Violators may be subject to penalties, or disciplinary action including immediate termination of employment, under policies of Open Door Clinic and under laws of the State of Illinois or the United States of America to the extent applicable. By signing this, I agree that I have read, understand and will comply with the Agreement.

### **My commitment to HIPAA Compliance**

I have read and understand our office's Employee HIPAA (Privacy Rule) Compliance manual. I agree to do all I can, within my area of responsibility to maintain up-to-date knowledge about federal and state laws and program requirements. I will comply with these requirements to the best of my ability, and to immediately let the Compliance Officer know if there is any area where I feel our office is not in Compliance with these laws and program requirements. Our policy is a simple, yet powerful four-step process: Keep Up-to-date, educate, comply, and audit/correct.

- a. We seek to maintain up-to-date knowledge about federal and state law pertaining to protection of our patients Personal Health Information.
- b. We educate our employees and keep them up-to-date about federal and state law as it applies to Personal Health Information.
- c. Our policy is to comply with all federal and state law governing Personal Health Information. We desire that all our employees are particularly cognizant of the fact that Personal Medical Information must be treated with utmost attention, accuracy, honesty, and integrity. We seek to educate and carry out these policies with all our employees, managers, clinicians, and where appropriate, contractors and other agents.

I agree with ODC policy and will do all I can to comply with all regulatory laws pertaining to Personal Medical Information. I understand that our office has an open door policy and I may discuss any problems I feel may occur with PHI without worry of recourse with my supervisor or other supervisors.