Electronic Patient Information Access and Auditing of Access

APPLICABILITY:

This policy applies to the following entities (collectively referred to as "UNC Health Care System" or "UNCHCS" in this policy):

- UNC Health Care System/UNC Medical Center*
- UNC Physicians Network
- UNC Physicians Network Group Practices
- Rex Healthcare / Rex Hospital
- Chatham Hospital
- Caldwell Memorial Hospital
- UNC Rockingham Health Care / UNC Rockingham Hospital
- Johnston Health
- Lenoir Memorial Hospital
- Margaret R. Pardee Memorial Hospital
- Nash Healthcare System / Nash Hospitals
- Wayne UNC Health Care

*UNC Medical Center includes all UNC Hospitals' facilities and the clinical patient care programs of the School of Medicine UNC-Chapel Hill (including UNC faculty physicians).

I. Description

It is the responsibility of UNCHCS to ensure that UNCHCS employees and others who have authorized access to UNCHCS electronic systems containing patient medical information access only the patient medical information necessary to perform their job functions. UNCHCS shall have the right to audit accesses into any electronic system, application, database, electronic health record system and any other UNCHCS system or application containing patient medical records in electronic format. This policy outlines appropriate behaviors and expectations for access to electronic patient information contained in any UNCHCS electronic system.

Included within the scope of this policy are the patient care programs of the UNC School of Medicine (UNC SOM). As a result, this policy shall apply to all UNC SOM personnel, including but not limited to faculty, staff, students, trainees, interns and volunteers who may be full-time, part-time, paid or unpaid who create, store, transmit, access or use any patient information in support of clinical purposes for UNCHCS or any other...
II. Policy

A. Protecting Electronic Patient Information.
   Protecting the privacy of patient information is an important consideration for everyone who utilizes the UNCHCS electronic systems containing patient information. This policy applies to any individual that is granted electronic access (including remote access) to UNCHCS information systems and Electronic Health Record (EHR). UNCHCS has a legal and ethical obligation to ensure the confidentiality and security of patient information and individuals granted access to patient information are personally responsible for ensuring that the privacy of our patients is always protected.

B. Individual Responsibilities to Protect Patient Privacy When Accessing Patient Information in Electronic Systems.
   1. The medical record is the property of UNCHCS and is maintained for the benefit of the patient, the Medical Staff, the individual UNCHCS Hospital and UNCHCS. The information contained within the record, including all forms of electronic patient information, is the property of the patient and cannot be released to individuals not otherwise authorized without the written consent of the patient, a subpoena, court order or pursuant to state or federal law.
   2. Only authorized users with a 'Business Need to Know' should access patient records.
   3. UNCHCS workforce who have been granted access to systems containing UNCHCS patient information shall safeguard and are prohibited from disclosing their personal access code or any other access credentials that would permit access by unauthorized individuals to confidential patient information, (e.g., never share personal access codes, passwords or devices with any other person; or allow anyone else to access or alter confidential patient information under their identity).
   4. UNCHCS workforce who have been granted access to systems containing UNCHCS patient information shall accept personal responsibility for all activities undertaken using their assigned access codes / user names and passwords or devices and shall be responsible for any misuse or unauthorized disclosure of confidential patient information made using their assigned access codes / user names and passwords and for the failure to safeguard their assigned access codes / user names and passwords or devices.

C. Right to Perform Access Audits of UNCHCS Electronic Systems:
   1. UNCHCS recognizes that auditing is an essential function of safeguarding confidential patient data from inappropriate access or use.
   2. Through the use of system tools and technical functionality UNCHCS has the right, without prior notice, to conduct audits of any electronic system, including the electronic health record (EHR), database, file folder or application to ensure that any access of patient information was performed in accordance with the appropriate Business Need–to-Know.
   3. The UNCHCS Privacy Office (and individual Facility Privacy Officers at UNCHCS Managed Facilities) shall be responsible for performing access audits of electronic systems containing patient medical information.

D. Sanctions for Violations.
   Individuals who have been determined to have accessed patient information without an appropriate Business Need to Know shall be subject to discipline in accordance with the UNCHCS Sanctions for Violations of Privacy Policies.
III. Definitions

**Electronic Health Record** – means an electronic record of health-related information on an individual that is created, gathered, managed, and consulted by authorized health care clinicians and staff.

**Record** – any item, collection or grouping of information that includes PHI and is maintained, collected, used or disseminated by or for UNCHCS.

**Business Need to Know** - Information needed to provide and/or support:

1. patient care treatment activities required by that individual’s job or duties;
2. the performance of health care operational activities, as defined by an individual's assigned job duties or at the instruction of an authorized supervisor or other official within UNCHCS. Health care operational activities include by way of example, activities in support of compliance, accreditation, licensing, certification and all other administrative activities;
3. the performance of approved educational activities in support of the education of medical residents, students or others or such other professional educational activities in support of UNCHCS or the UNC School of Medicine formal educational programs.

IV. References

45 C.F.R. §§ 164.514(h)(1)

V. Related Policies/Forms

UNCHCS [Sanctions for Violations of Privacy Policies](http://unchealthcare.policystat.com/policy/5180945/). Copyright © 2019 UNC Health Care System

**Attachments:** No Attachments

**Applicability**

Caldwell Memorial Hospital, Chatham Hospital, Nash Health Care, Nash Health Care Systems Contracts, UNC Health Care System, UNC Lenoir Health Care, UNC Medical Center, UNC Physicians Network, UNC Rex Healthcare, UNC Rockingham Health Care, Wayne Memorial Hospital