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Owner: *David Behinfar: HCS Exec Dir Privacy*
Policy Area: *HIPAA - Privacy*
Policy Tag Groups:
Applicability: *UNC Health Care System (all owned and managed entities)*

Designation of Chief HIPAA Privacy Officer and Chief HIPAA Security Officer

APPLICABILITY:

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

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

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

I. Description

UNC Health is required under the privacy and security regulations of the federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA") to designate a Privacy Officer and a Security Officer.

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 UNC Health or any other healthcare entity.

II. Policy

A. The UNC Health Privacy and Security Officer Scope of Authority

1. UNC Health Privacy Officer Responsibilities

- a. The UNC Health Privacy Officer shall have full responsibility for the HIPAA privacy compliance responsibilities for UNC Health (with the exception of UNC Health Managed facilities) and shall be authorized to act on behalf of UNC Health with respect to HIPAA privacy compliance issues including but not limited to HIPAA privacy policies, privacy incident investigations, HIPAA privacy training and education, EHR access audits and other audits involving HIPAA compliance as well as outreach and guidance on HIPAA privacy related issues.
- b. The UNC Health Privacy Officer shall be responsible for the development, implementation, maintenance of, and adherence to policies and procedures regarding the privacy of health information in compliance with HIPAA and other applicable federal and state laws.

2. UNC Health Privacy Officer Responsibilities – UNC Health Managed Facilities

The UNC Health Privacy Officer shall act in a strictly consultative role to UNC Health Managed Facilities. The individual UNC Health Managed Facilities shall each be independently responsible for all HIPAA privacy compliance responsibilities of their facilities. The UNC Health Privacy Office shall provide consultation services as necessary or as requested from time to time and shall only provide such additional services beyond consultation upon agreement.

3. Appointment of Privacy Personnel – Owned and Managed Facilities

- a. **UNC Health Owned Facilities – Appointment of Privacy Coordinators.** UNC Health Owned Facilities may appoint Facility Privacy Coordinators who shall be responsible for coordinating with the UNC Health Privacy Office to facilitate and coordinate implementation of the UNC Health privacy policies at their respective facility and who shall act at the direction of the UNC Health Chief Privacy Officer with respect to the operational implementation and application of the UNC Health HIPAA privacy policies.
- b. **Managed Facilities – Appointment of Facility Privacy Officers.** UNC Health Managed Facilities may appoint their own individual "Facility Privacy Officers" or such other privacy personnel who shall be responsible for local facility operational implementation of the UNC Health privacy policies or their own facility's privacy policies (as the case may be) and may at their own discretion seek advice and consultation from the UNC Health Privacy Officer from time to time with respect to HIPAA privacy matters or the UNC Health HIPAA privacy policies.

4. UNC Health Security Officer Responsibility

The Security Officer shall be responsible for the development, implementation, maintenance of, and adherence to policies and procedures regarding the security of health information in compliance with the HIPAA Security Rule and other similar applicable federal and state laws.

III. Definitions

Privacy Official – A person designated by UNC Health who is responsible for the development and implementation of the UNC Health HIPAA privacy compliance program. The Privacy Official may delegate responsibility for privacy functions unless otherwise indicated. The Privacy Official may also serve as the Security Official if so designated.

Security Official – The person designated by UNC Health who is responsible for the development and

implementation of the UNC Health HIPAA security policies and procedures. The Security Official may delegate responsibility for security functions unless otherwise indicated. The Security Official may also serve as the Privacy Official if so designated. 45 CFR § 164.308(a)(2).

IV. References

45 C.F.R. §§ 164.308(a)(2), 164.530(a),(i),(j)

V. Related Policies/Forms

None

Attachments

No Attachments

Approval Signatures

Step Description	Approver	Date
	Jerylyn Williams: Chief Audit & Compliance Ofcr	06/2020
SYSTEM Site Administrator	Emilie Hendee: HCS Attorney Sr	06/2020
	David Behinfar: HCS Exec Dir Privacy	06/2020

Applicability

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