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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)*

## Duty to Report Suspected Incidents, Duty to Cooperate with Investigation and Duty to Mitigate Harm

### 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 shall make best efforts to mitigate any known harmful effects caused by the unauthorized use or disclosure of PHI, security incidents involving PHI, or any violation of HIPAA, the HIPAA Policies and Procedures, or other applicable state or federal laws governing information privacy or security, regardless of whether the privacy breach was caused by a member of its workforce, a contractor, a business associate, or other individual or entity. In an incident investigation conducted by UNC Health it may be critical for the UNC Health Privacy Office, or the UNC Health Facility Privacy Officer to act quickly in order to avoid or mitigate any potential harm to patients. As a result, all members of the UNC Health workforce who have knowledge relating to a suspected incident must fully cooperate in an investigation being conducted by the UNC Health Privacy Office or UNC Health Managed Member Facility Privacy Office.

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. **Duty of UNC Health Workforce to Notify UNC Health Privacy Office of a Privacy Incident.** A member of the UNC Health workforce (including workforce members of any UNC Health Member) who commits a violation of UNC Health Privacy Policy or becomes aware of a violation of UNC Health Privacy Policy committed by another individual, (including another member of the workforce or a contractor or business associate) is required to immediately notify the UNC Health Privacy Office or the UNC Health Facility Privacy Office of the respective UNC Health Facility where the workforce member is employed or located.

1. Notification may be by:

a. UNC Health Hotline (with an anonymous option for submission)

- <http://hotline.unchealthcare.org/>
- (1-800-362-2921)

b. Notification directly to the appropriate privacy office as follows:

- The UNC Health Privacy Office main telephone number: (984) 974-1069
- Henderson County Hospital (Pardee) Privacy Officer: (828) 696-4251
- Johnston Health Privacy Officer: (919) 938-7121
- Nash Health Care System Privacy Officer: (252) 962-8130
- Lenoir Memorial Hospital Privacy Officer: (252) 522-7946
- Wayne Memorial Hospital Privacy Officer: (919) 731-6462

B. **Duty of UNC Health Workforce to Make Themselves Available for Investigation Interviews by UNC Health Privacy Officials.** Members of the UNC Health workforce who have knowledge of a suspected privacy incident involving the PHI of any UNC Health patient(s) or research subjects must take all reasonable actions to make themselves available for interview by the UNC Health Privacy Office (or facility privacy officer of the UNC Health Member Facility where the individual works) at such times and locations as requested by the UNC Health Privacy Office.

## III. Definitions

**Workforce** – means employees, including temporary agency or contract employees, health care professionals, including faculty, medical students and interns, volunteers, trainees, and other persons whose conduct, in the performance of work for UNC Health is under the direct control of UNC Health, whether or not they are paid by UNC Health.

## IV. References

45 C.F.R. §§ 164.308(a)(6)(ii), 164.530(f)  
UNC Health [Code of Conduct](#)

# V. Related Policies/Forms

[Sanctions for Violations of Privacy Policies](#)

## 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

