



VOLUME 13: PRIVACY	Effective Date: 09/2015
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13.12 GENERAL PRIVACY POLICIES FOR STAFF AND PATIENT INFORMATION POLICY	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

I. POLICY

California Correctional Health Care Services (CCHCS) shall establish and sustain governance and oversight for privacy-related policies, standards, risk management, and compliance to protect the privacy rights of individuals.

II. PURPOSE

To ensure CCHCS compliance with state and federal privacy requirements for state entities that maintain Personally Identifiable Information (PII) and Protected Health Information (PHI).

III. DEFINITIONS

Disclosure: The release, transfer, provision of access to, or divulging in any other manner, of information outside the entity holding the information.

Personally Identifiable Information: Any information that is maintained by CCHCS that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters, and/or medical or employment history. It includes statements made by, or attributed to, the individual. PII may include information that is not necessarily PHI and may pertain to CCHCS employees, members of the public, or other individuals who may or may not be patients.

Protected Health Information: Information created or received by CCHCS which identifies or can be used to identify an individual as it relates to past, present, or future health conditions; health care services provided to the individual; or health care related payments. This applies to information that is transmitted or maintained in verbal, paper, or electronic form.

IV. RESPONSIBILITY

Oversight responsibility of the Privacy Office shall be vested in the Privacy Officer. The Privacy Officer is required to oversee privacy rights as required by laws, policies, and standards for respecting the rights of individuals with regard to the collection, use, and disclosure of personal information throughout CCHCS.

V. GENERAL STAFF AND PATIENT INFORMATION

A. Information Accuracy and Integrity

Information owners shall maintain all records with accuracy, relevance, timeliness, and completeness. Information owners shall make appropriate corrections submitted by record subjects as required by law.

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B. Accounting of Disclosures

1. Information owners shall keep an accurate accounting of the date, nature, and purpose of each disclosure of a record as required by law. The accounting shall include the date of the disclosure, the name, title, and business address of the individual or to whom the disclosure was made.
2. Information Owners shall retain accountings of non-medical PII for at least three (3) years after the disclosure for which the accounting is made, or until the record is destroyed per the record retention policy, whichever is shorter.
3. Information Owners shall retain accountings of PHI for at least six (6) years after the disclosure for which the accounting is made.

C. Privacy Impact Assessments

The Privacy Office shall assist program management with conducting Privacy Impact Assessments.

D. General Privacy Statement

The Privacy Office shall prepare the general CCHCS internet privacy statement.

VI. TRAINING REQUIREMENTS AND CONTACT INFORMATION

- A. Privacy training is required for new employees during New Employee Orientation and annually thereafter.
- B. For questions or clarification, please contact: Privacy@cdcr.ca.gov or 1-877-974-4722

VII. REFERENCES

- Code of Federal Regulations, Title 45, Subtitle A, Subchapter C, Part 160, Subpart A, Section 160.103 - Definitions
- Code of Federal Regulations, Title 45, Subtitle A, Subchapter C, Part 164, Subpart E, Section 164.504(e)
- Code of Federal Regulations, Title 45, Subtitle A, Subchapter C, Part 164, Subpart E, Section 164.528, Accounting of disclosures of protected health information
- Health Information Technology for Economic and Clinical Health Act
- California Civil Code, Division 3, Part 4, Title 1.8, Chapter 1, Article 7, Section 1798.25
- California Government Code, Title 2, Division 3, Part 1, Chapter 1, Article 1, Section 11019.9
- State Administrative Manual Section 5300 et seq.