UMHS Policy 01-04-390
Discipline for Violations of Privacy or Security of Protected Health Information (PHI),
Or Other Sensitive Information for All UMHS Workforce
Rev. 02-07-2013

Process

Violation of PHI is reported from one of several places, including Patient Relations, Compliance Hot Line, report to a UMHS leader, report to UMHS Human Resources, or Other.

1. Originating office contacts UMHS Compliance Office with details of the situation known at the time.
   a. If report begins with a UMHS leader, the leader may engage UMHS Human Resources Department (HR) or the Office of Clinical Affairs (OCA) in preliminary discussion of the situation at the same time as UMHS Compliance Office is notified.

2. UMHS Compliance Office, in conjunction with the department leadership, OCA, and/or UMHS HR, investigates the facts to determine if a violation has occurred.
   - If NO Violation
     Department supervisor/leader, in conjunction with UMHS HR and/or OCA, completes case file as necessary, based on the facts that gave rise to the situation.
   - If YES Violation

3. UMHS Compliance Office documents and communicates the outcome of the preliminary investigation to the appropriate supervisor or leader.
   - UMHS Compliance Office notifies patient that a breach occurred and that appropriate action is being taken.

4. UMHS HR Business Partner and/or OCA, in conjunction with department leadership, investigate the case further by interviewing the accused staff member(s) and any other individuals that would be deemed appropriate, if not completed already.

5. UMHS HR Business Partner and/or OCA, in conjunction with department leadership, assess the situation and make a preliminary determination of Level of Violation.
6. UMHS HR Business Partner and/or OCA present the case to the Privacy Violation Review Committee with the recommendations of Level of Violation and Disciplinary Action based on their findings.

7. The Privacy Violation Review Committee reviews the case to make final determination of Level of Violation.

8. UMHS HR Business Partner and/or OCA communicate final Level of Violation to the department supervisor.

9. The department supervisor/leader, with guidance and advice from UMHS HR Business Partner and taking into account any relevant mitigating and aggravating circumstances, takes the appropriate disciplinary action, as applicable, in accordance with the appropriate Bylaws, Policy, Contracts or Agreements already in place. The disciplinary action taken should be consistent with the discipline stated in Policy 01-04-390 applying the customary factors used to establish final discipline level. Deviations from the disciplinary level in Policy 01-04-390 will require acceptable supporting documentation.

10. UMHS HR Business Partner and/or OCA log the case and final disposition.