

|  |  |  |  |
| --- | --- | --- | --- |
| **Policy Name:** | **Client Records – Storage, Access and Security** | **Date Revised:** | **2/2020** |
| **Purpose:** | **Protocol for Clinical Chart HIPAA Compliance** | **Board Approval:** |  |

**Policy:**

Federal law states that access to all client information must be strictly limited to protect the privacy and civil rights of the client. It also mandates safeguards that health care providers must implement to ensure the privacy of health care information is protected. As part of meeting these objectives, all client records are kept in the secured Administrative office area. These records may be signed out, but otherwise remain on agency/program grounds and may not be removed from the agency premises except for authorized activities such as audits or legal reviews, as appropriate. At no time may charts be off-site overnight except when required due to county audit.

**Procedure:**

1. **Chart Storage:** 
   1. PHI must be triple locked (e.g., locked file cabinet in a locked office in a locked building). No PHI (including client rosters) is to be displayed on exposed walls where it can be viewed by unauthorized persons. No unauthorized person shall have access to areas in which PHI may be found or viewed.  This includes staff mail boxes, staff desks, the reception area in the main office, fax machine, and copier. If an unauthorized person needs to deliver or retrieve mail, send a fax, or make a copy, they must ask an administrator or staff person for assistance. All unnecessary PHI is to be shredded; shredding boxes/cans are to be labeled “Confidential.”
   2. The individuals who have a key to the locked cabinet where the client charts are housed is limited to the Quality Assurance Compliance Manager and the Head of Service, unless otherwise designated by the Head of Service.
   3. Greater New Beginnings shall retain each child’s client record for a minimum of ten years from a child’s transition or until completion of any audit, whichever date is later.
      1. Annually, the QA Compliance Manager will review and assess the current inventory of client charts, determining which charts remain onsite or need to be sent to the secure offsite facility, as well as which charts are ready to be securely disposed of.
      2. Charts will be kept onsite for a minimum of one fiscal year past the discharge date, or longer if space permits. The files are then securely transported to the agency’s offsite storage facility where they are securely stored for the remainder of the ten-year term.
      3. The retention period shall be extended if the youth’s treatment is subject to any due process proceeding including administrative review and litigation until all appeals have been exhausted.
      4. After such time the files shall be disposed of through the facility secure HIPAA-compliant recycling program.
2. **Chart Access:** Greater New Beginnings protects confidential and other sensitive information from theft, unauthorized use or disclosure, damage or destruction by the following measures:
   1. Greater New Beginnings limits access to authorized personnel based on their staff role within the agency. This is implemented in several ways:
      1. Access to information is based on a “need-to-know” basis.
      2. Electronic systems require strong passwords for access to confidential information, requires passwords be changed regularly, locks the user out of the system for incorrect log-in attempts and automatically times out after a period of inactivity and prompts reauthentication.
      3. Equipment and office keys are returned and passwords and access to information is disabled when staff are no longer employed by Greater New Beginnings.
   2. In order to access any physical client information contained in the confidential client records (paper chart), an employee must first contact the Head of Service or the Quality Assurance Compliance Manager who will determine which staff have the appropriate permission to access the requested information. Once it is determined that an individual may be allowed access, the Head of Service or QA Compliance Manager will locate the chart which is housed in the secured administrative office under the triple lock rule. The staff checking out the chart is required to sign the chart out on the designated sign-out log located in the chart cabinet. At all times, the chart sign-out sheet is updated to reflect the current location of the chart. At no time is a client chart left unattended in an exposed setting.
3. **Securely Transporting Client Records:** In situations where charts must be removed from the premises due to audits, county requests or other off-site chart review activities, charts must be signed out and placed in a locked container and transported in the locked trunk of a vehicle.  The outside of the locked or other secured box shall be plainly labeled “Confidential Patient Information: W&I Code Section 5328”.  The chart(s) may only be removed from the building immediately before the offsite activity and must be returned immediately after the offsite activity has concluded.   The chart(s) will never be left unattended by the transporting staff.  Charts will never be off site without the knowledge and approval of the Greater New Beginnings Head of Service and Executive Director/Administrator.