

## Personnel – Certified/Non-Certified

### Use and Disclosure of Employee Medical Information (HIPAA)

Other than health information contained in employment records held by the Amity Regional School District No. 5 (ARSD) in its role as employer, all information in ARSD's possession which is related to employee past, present and future health conditions and that identifies the individual employee or could reasonably be utilized to identify the employee, will be protected under the terms of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

To the extent ARSD possesses personally identifiable health information regarding employees, aside from health information contained in employment records held by ARSD in its role as employer, the Superintendent or their designee shall act as the Privacy Officer to oversee the administration of privacy of such records. The Superintendent or their designee shall provide all employees with the following information regarding such records:

1. The use and disclosure of personally identifiable health information;
2. Each employee's rights to privacy with respect to their personally identifiable health information;
3. Duties under HIPAA with respect to employee's personally identifiable health information;
4. Each employee's rights to file a complaint with the District, Health Benefit Plan, and/or the Secretary of the United States Department of Health and Human Services; and
5. The person or office that an employee can contact for further information about privacy practices.

In addition, ARSD shall notify the administrator of each of ARSD's health benefit plans of the requirement under HIPAA that it take reasonable steps to maintain the privacy of each employee's personally identifiable health information and to inform each employee about the information set forth above in items 1 through 5. Further, ARSD shall notify the administrator of the health benefit plan of the requirement under HIPAA that it provide reasonable notice to all employees of whom the benefit plan designates as the Privacy Officer to oversee the administration of privacy of the benefit plan and to receive complaints.

(cf. 4112.6/4212.6 - Personnel Records)

Legal Reference: 42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)  
65 Fed. Reg. 50312-50372  
65 Fed. Reg. 92462-82829  
63 Fed. Reg. 43242-43280  
67 Fed. Reg. 53182-53273