


**BARNABAS HEALTH
POLICY # HIE-5
INFORMATION TECHNOLOGY AND SERVICES
POLICY**

TITLE: Compliance with Law and BHIE Policies

EFFECTIVE DATE: 6/18/2015

APPROVED BY: 

System: System Chief Information Officer/
Barnabas Health

Date: 8/6/2015

ATTACHMENTS:

None

PURPOSE:

To ensure that Participants and Authorized Users of the BHIE understand and adhere to applicable federal and state laws and these policies, as may be amended from time to time, when accessing and/or using any Patient Data through the BHIE.

POLICIES:

1. Compliance with Law

- a. Each Participant and Authorized User shall, at all times, comply with all applicable federal, state, and local laws and regulations, including, but not limited to, those protecting the confidentiality and security of individually identifiable health information, including Data, and establishing certain individual privacy rights.
- b. Each Participant shall be responsible for identifying and notifying the BHIE Program Manager, BHIE Privacy Officer and BHIE Security Officer of any laws and/or regulations relating to the access use and/or disclose of Data that may be specific to such Participant and that are more stringent than HIPAA, HITECH or differ from the Permitted Uses described under these BHIE Policies.
- c. Each Participant and Authorized User shall use reasonable efforts to stay abreast of any changes or updates to and interpretations of all laws and regulations that may

affect their use and disclosure of Data, and shall inform the BHIE of any such changes of which it becomes aware

2. BHIE Policies

- a. Each Participant shall, at all times, comply and assure that each Authorized User of Participant complies with all applicable BHIE Policies.
- b. The BHIE Policies may be revised and updated from time to time, and **reasonable notice of any such changes shall be provided** to Participants.
- c. In certain circumstances arising from the BHIE connecting to a Participant that has implemented standards or policies that are more stringent or more restrictive than the BHIE Policies, then the more-restrictive or more-protective standards will apply, and Participants and Authorized Users are responsible for ensuring compliance with such additional standards.
- d. Each Participant and Authorized User is responsible for ensuring it has, and is complying with, the most recent version of these BHIE Policies, which shall be made available to all Participants of the BHIE through the BHIE Webpage, and upon request from the BHIE Program Manager.

3. Participant Policies

- a. Each Participant is responsible for ensuring that it has developed and implemented appropriate and necessary internal procedures to allow it and its Authorized Users to comply in full with applicable laws and these BHIE Policies.
- b. In the event of a conflict between these BHIE Policies and a Participant's own policies and procedures, the Participant and its Authorized Users shall comply with the policy that is more protective of individual privacy and security.

4. Review and Amending BHIE Policies

- a. The BHIE Policies will be regularly reviewed by the BHIE Policy Committee, and any recommendations for changes shall be made as appropriate.
- b. Final policies, including any amendments, shall be reviewed and approved in accordance with the BHIE Steering Committee's applicable policies and bylaws for approval of the same.
- c. The BHIE Policies shall go into effect upon approval by the BHIE Steering Committee (the "Effective Date") and shall be binding once an Applicant signs a Participation Agreement to be considered for registration with the BHIE.
- d. Beginning with such Effective Date, these policies shall be reviewed and amended **at least once every 12 months**, or sooner as needed.

QUALIFICATIONS: NA

EQUIPMENT: NA

PROCEDURE: NA

DOCUMENTATION: NA

INFECTION CONTROL: NA

SAFETY: NA

SECURITY OVERSIGHT GROUP (SOG) Approve for Release:

REFERENCES:

ORIGINAL DATE: 6/18/2015

REVIEWED DATE(S):

REVISED DATE(S):