

**BOARD OF SCHOOL TRUSTEES**  
**SCHOOL CORPORATION**

SUPPORT STAFF  
4419.01/page 1 of 3

**REVISED POLICY - VOL. 26, NO. 1**

~~PRIVACY PROTECTIONS OF SELF FUNDED GROUP HEALTH PLANS~~

~~The School Board provides coverage to eligible employees under self funded group health plans. The Board has established the following self funded group health plans:~~

- ~~(+) Medical Plan~~
- ~~(+) Prescription Drug Plan~~
- ~~(+) Dental Plan~~
- ~~(+) Vision Plan~~
- ~~(+) Employee Assistance Plan~~
- ~~(+) Long term Care Plan (not long term disability)~~
- ~~(+) Health Flexible Spending Accounts (FSA)~~
- ~~(+) Other; specify \_\_\_\_\_~~

~~The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule, as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Certain health information maintained by these group health plans is afforded significant protection by this Federal law.~~

~~The Board hereby appoints \_\_\_\_\_ to serve as the Privacy Protection Officer**Official** of the group health plans. The Board delegates authority to the Privacy Protection Officer**Official** to develop and implement the internal policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule is subsequently amended, the Privacy Protection Officer**Official** is authorized to make necessary amendments to the internal policies and procedures.~~

**BOARD OF SCHOOL TRUSTEES**  
**SCHOOL CORPORATION**

SUPPORT STAFF  
4419.01/page 2 of 3

~~The Privacy Protection Officer shall report his/her progress to the Board upon request.~~

~~The Board also acknowledges that the HIPAA Security Rule requires the group health plans to implement various security measures with respect to electronic Protected Health Information. The Board hereby appoints the \_\_\_\_\_ to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to develop and implement internal policies and procedures for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. In the event that the HIPAA Security Rule is subsequently amended, the Security Official is authorized to make necessary amendments to the internal policies and procedures.~~

~~The Board further delegates authority to the Privacy Official and/or the Security Official to undertake such other actions as provided by the Administrative Guidelines in effect from time to time. The Privacy Official and/or Security Official shall report his/her progress to the Board upon request. The Board reserves the right to revoke any or all delegations set forth in this policy at any time and for any reason.~~

[ ] ~~Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule, the Board agrees to indemnify and hold harmless the Privacy Protection Officer for any CMP imposed upon him/her in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Protection Officer in the event the CMP was imposed as the result of intentional misconduct or gross negligence by the Privacy Protection Officer. Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and the HIPAA Security rule, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official for any CMP imposed upon the Privacy Official or Security Official in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Official or Security Official in the event the CMP was imposed as the result of intention~~

**BOARD OF SCHOOL TRUSTEES**  
**SCHOOL CORPORATION**

SUPPORT STAFF  
4419.01/page 3 of 3

~~The Board reserves the right to revoke any or all delegations set forth in this policy at any time for any reason.~~

~~29 C.F.R. Part 1635~~

~~42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act~~

~~42 U.S.C. 1320d-5(a)(1)~~

~~45 U.S.C. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)~~

© NEOLA 2010**2013**