

HEALTH INFORMATION EXCHANGE POLICIES

Policy: Compliance With Laws and JHC Policies

Number: 10

Applicability: Viewer, Provider, Receiver, Exchanger

Effective: 9/23/2013

Policy:

Jersey Health Connect Participants and Authorized Users must understand and adhere to all applicable federal and state laws as well as these JHC Policies, as may be amended from time to time, when accessing and/or using or disclosing any Patient Data through Jersey Health Connect.

Procedure:

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, HIPAA, HITECH and other such laws and regulations protecting the confidentiality and security of individually identifiable health information, including PHI/Data, and establishing certain individual privacy rights.
- b) Each Participant and Authorized User shall, at all times, comply with all authorization and documentation requirements prior to accessing, using or disclosing PHI/Data as required by all applicable federal, state and local laws and regulations. Each Participant shall be responsible for determining what forms and formats of authorizations, consents and other documentation is required to be obtained from Patients prior to accessing PHI or Data.
- 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 Jersey Health Connect of any such changes of which it becomes aware.

2) Jersey Health Connect Policies

- a) Each Participant shall, at all times, comply and assure that each Authorized User of Participant complies with all applicable JHC Policies, and any related procedures that are in effect.
- b) The JHC 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 Jersey Health Connect establishing a relationship with a Participant that has implemented standards or policies that

are more stringent or more restrictive than Jersey Health Connect, the more-restrictive or more-protective standards will apply, and Participants and Authorized Users are responsible for ensuring such additional standards are complied with.

d) Each Participant and Authorized User is responsible for ensuring it has, and is complying with, the most recent version of these JHC Policies.

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 HIE Policies.

b) In the event of a conflict between these JHC 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.

Revision History:

3/12/2012 New Policy

9/13/2013 Revised Effective 9/23/2013