



Troy Medicare Policy and Procedure

Title: Designation of HIPAA Privacy and Security Officers			Policy Number: HP 35
Primary Department: Compliance	LOB: Medicare Advantage	Author: S. Scott	
Effective Date: 7/21/2023	Original Date: 7/21/2023	Review Date(s):	Archive Date:
Interactive Related Department(s)			
☒ All Departments ☐ Compliance ☐ Medical Management ☐ Provider Operations ☐ Sales and Marketing	☐ Appeals and Grievances ☐ Pharmacy ☐ Member Services ☐ Quality Management ☐ Utilization Management	☐ Care Management ☐ Enrollment ☐ Plan Administration ☐ Claims ☒ Other _IT_____	

POLICY PURPOSE

To identify the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy and Security Officers as required by HIPAA, and to outline assigned privacy and information security roles and responsibilities for each officer. Troy Health is committed to complying with federal and state rules and regulations.

SCOPE

This policy applies to all Troy employees, as well as, volunteers, trainees, consultants, contractors, officers, directors and other persons performing work for or at Troy Health.

REFERENCES

- [Health Insurance Portability and Accountability Act \(HIPAA\), Public Law 104-191](#)
- HIPAA Privacy Rule 45 CFR § 164.514
(<https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-C/part-164/subpart-E/section-164.514>)
- HIPAA Security Rule - 45 CFR [Part 160](#) and Subparts A and C of [Part 164](#)
- HIPAA Administrative Simplification Regulations, 45 CFR [Part 160](#), [Part 162](#), and [Part 164](#)
- 45 CFR § 164.308(a)(2) and 164.530(a),(i),(j)

RESPONSIBLE PARTIES

- Chief Executive Officer
- Chief Compliance Officer



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DEFINITIONS

- Privacy Officer — The person designated by Troy Health and who is responsible for the delivery and implementation of the Troy Health HIPAA privacy compliance program, including but not limited to privacy policies and procedures. The Privacy Officer may delegate responsibility for privacy functions.
- Security Officer — The person designated by Troy Health and who is responsible for the delivery and implementation of the Troy Health HIPAA security program, including but not limited to security policies and procedures. The Privacy Officer may delegate responsibility for security functions.

POLICY

It is the policy of Troy Health to designate a HIPAA Privacy Officer and a HIPAA Security Officer. The HIPAA Privacy Officer is responsible for coordinating compliance with the HIPAA Privacy and Breach Notification Rules as defined by the Code of Federal Regulations. The HIPAA Security Officer is responsible for coordinating compliance with the HIPAA Security Rules as defined by the Code of Federal Regulations.

PROCEDURE

1. The Troy Health Chief Executive Officer shall identify and appoint an employee or employees, or other suitable individual(s) as appropriate, who is/are responsible for the development and implementation of the policies and procedures required to comply with the HIPAA Privacy, Breach Notification and Security Rules as defined by the Code of Federal Regulations. Such individuals shall hold the designations of HIPAA Privacy Officer and/or HIPAA Security Officer.
2. The designation of such individual(s) shall be documented in writing by the Chief Executive Officer.
3. Scope of Authority for the HIPAA Privacy Officer and HIPAA Security Officer

The HIPAA Privacy Officer and HIPAA Security Officer shall each oversee and coordinate with the Compliance and Information Technology departments and other applicable Troy personnel in connection with implementation of Troy Health's policies and procedures related to HIPAA privacy and security.

- a. **Troy Health Privacy Officer Responsibilities:** The Troy Health Privacy Officer shall have full responsibility for the HIPAA privacy compliance responsibilities for Troy Health with respect to the HIPAA Privacy and Breach Notification Rules, including adherence to policies and procedures regarding the privacy of health information in compliance with HIPAA and other applicable federal and state laws. The Privacy Officer is authorized to act on behalf of Troy Health with respect to HIPAA privacy compliance issues, including but not limited to privacy policies and



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procedures, privacy incident investigations, HIPAA privacy training and education, HIPAA compliance audits and monitoring of other privacy-related issues. The Troy Health Privacy Officer leads the effort to respond to breaches, including notification to regulatory and other external entities and patients, as required by law.

- b. **Troy Health Security Officer Responsibilities:** The Troy Health Security Officer shall have full responsibility for the HIPAA security compliance responsibilities for Troy Health with respect to the HIPAA Security Rules. This includes, but is not limited to, developing and implementing policies and procedures required by the Security Rule (and applicable provisions of the HIPAA Administrative Simplification Rules), development of security training for Troy's workforce related to the Security Rule, and developing and implementing information system safeguards required by the Security Rule. The HIPAA Security Officer shall also have the responsibility for developing and implementing applicable physical security safeguards in accordance with the HIPAA Privacy and Security Rules, and is authorized to act on behalf of Troy Health with respect to HIPAA security issues.

HIPAA for purposes of this document includes HIPAA, HITECH, and Omnibus requirements.

ATTACHMENTS/RELATED POLICIES/STANDARD OPERATING PROCEDURES

- n/a

APPROVALS



Chief Executive Officer

07 / 31 / 2023

Date



Policy Committee Chair

07 / 31 / 2023

Date

Revision History:

Date	Author	Revision Notes
7.21.2023	S Scott	Drafted initial policy