	DEPARTMENT OF PUBLIC SAFETY	EFFECTIVE DATE: January 01, 2024	POLICY NO.: COR.10.H.02
	CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	SUPERSEDES (Policy No. & Date): COR.10.1H.02 of October 03, 2014	
	SUBJECT: CONFIDENTIALITY OF MEDICAL RECORD INFORMATION		Page 1 of 4

1.0 PURPOSE

To ensure the privacy of health record information.

2.0 SCOPE

This policy and procedure shall apply to all branch facilities and their assigned personnel within the Department.

3.0 REFERENCES, DEFINITIONS & FORMS

.1 References

- a. Department of Corrections and Rehabilitation, Policy ADM.05.02, Public Access to Department Information; COR.10.1H.07, Patient Requesting Information from the Medical Record; and COR.10.1H.09, Release of Protected Health Information.
- b. Hawaii Revised Statutes (HRS), Section 26-14.6, Department of Corrections and Rehabilitation; and Section 353C-2, Director of Public Safety, Powers and Duties; and section 92F, Public Access to Government Records: Exemption Medical Records; and 92F-13(4), Withholding protected health information for living or deceased individuals.
- c. Hawaii Revised Statutes, Section 325-101, HIV; ARC; & AIDS; Section 334-5, Mental Health, Drug Addiction and Alcoholism.
- d. Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, 110 Stat. 1936, Codified at 45 CFR Part 160; 45 CFR Part 162; and 45 CFR Part 164.
- e. Standards for Health Services in Prisons. National Commission on Correctional Health Care, (2018).
- f. Standards for Health Services in Jails. National Commission on Correctional Health Care, (2018).
- g. Standards for Mental Health Services in Correctional Facilities. National Commission on Correctional Health Care, (2015).

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.2 Definitions

- a. Confidentiality: To hold in confidence or to keep private and privileged identifiable health information pertaining to an individual.
- b. Electronic Medical Record (EMR): A digital version of a patient's paper chart. EMRs are real-time, patient-centered records that make information available instantly and securely to authorized users.
- c. Medical Record: A record representing a patient's medical and mental health history and care from the moment of incarceration until they are released from custody.

4.0 POLICY

- .1 Unauthorized disclosure of patient health information (PHI) is prohibited by law. Confidentiality rules and laws bind any correctional employee exposed to protected health information (PHI).
- .2 Maintaining confidentiality of patient health information in both paper and electronic formats shall be included in the orientation of all health care staff.
- .3 Health care staff shall ensure patient encounters are conducted in such a way so as to permit privacy while maintaining staff safety and clinic security.
- .4 Medical records shall be maintained under secure conditions and separate from institutional or custody records.
- .5 The Clinical Services Branch Administrator shall determine access to health records and health information. Routine access to medical information shall be limited to health care staff requiring the records for the provision of clinical services relevant to the patient's health.
- .6 Electronic Medical Record data shall be subject to the same level of confidentiality as medical records in paper form.
- .7 Health Care staff with passwords to access the electronic medical record shall not share their password with anyone. Only those individuals with their own unique password shall have access to the electronic medical record.

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- .8 The printing of electronic health care information is limited to those individuals with the necessary security level to print patient specific documents and shall be used only for Department approved purposes.
- .9 Paper medical records and paper copies of electronic medical records shall be sealed and tracked during transport.

5.0 PROCEDURE


- .1 All original paper and paper copies of medical records, documents, and medical information shall be secured in an envelope or box stamped confidential during transfer and/or sharing of health records. As routing form requiring signatures of all persons handling the record shall be attached to the outside of the envelope or box.
- .2 Patients having a medical condition needing special custodial requirements, shall have those requirements, not the medical diagnoses, communicated by the health care staff to the facility staff of specific documents. Such documentation includes:
 - a. Special diets requests.
 - b. Patient injury reports.
 - c. Medical needs memos.
- .3 Any documents or lists containing items such as patient names, diagnoses, or other potential indicators linking medical information to a specific patient such as diagnostic tests results, chronic care lists, sick call appointment reasons, outside provider appointments, etc., shall be protected from access by facility staff not involved in the potential delivery of care being administered.
- .4 Paper medical records shall not be left unattended in areas accessible by patients or non-health care staff.
- .5 Computer screens displaying electronic medical record information shall not be left unattended. No one shall begin data entry on a patient record that they have not personally logged into. The electronic record shall have a time out function which requires the user to log in again after a set lapse of disuse time.

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- .6 Health care staff shall conduct patient care interviews and discussion in a manner allowing for as much patient audio and visual privacy as safely can be permitted.
- .7 Patient specific medication information shall not be discussed in common areas such as hallways, restrooms, break areas, etc.
- .8 Medical information carried by security staff to outside health care providers shall be secured in a sealed envelope or box and addressed to the provider to ensure confidentiality.
- .9 Circumstances may arise when information received by health care staff may be construed to jeopardize the facility's security. The health care employee shall immediately notify the facility Clinical Section Administrator, Branch Administrator, or Health Care Division Administrator proceeding through his or her Health Care Division chain of command until reaching someone to discuss the concern.
- .10 Any correctional employee overhearing or otherwise discovering confidential patient health information shall not disclose this information to anyone.
- .11 This policy and procedure shall not prohibit the sharing of medical information as required by law, such as the public health reporting of certain communicable diseases.

APPROVAL RECOMMENDED:




Deputy Director for Corrections

JAN 0 1 2024

Date

APPROVED:



DIRECTOR

JAN 0 1 2024

Date

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