

## HIPAA-17: Workforce Clearance Policy

Effective Date:	12-01-2015	Last Revised:	7-17-2017
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### Scope of Policy

This policy governs Workforce Clearance and Screening (pre-employment and post-employment) for **TCS**. All personnel of **TCS** must comply with this policy. Demonstrated competence in the requirements of this policy is an important part of the responsibilities of every member of the workforce.

### Assumptions

- TCS** must comply with HIPAA and the HIPAA implementing regulations pertaining to workforce clearance, in accordance with the requirements at § 164.308(a)(3).
- Providing for appropriate workforce clearance can help reduce the likelihood of data breaches and HIPAA violations.

### Policy Statement

- It is the Policy of **TCS** to provide the appropriate level of access to individually identifiable health information to all members of the workforce.
- The level of access to individually identifiable health information for workforce members shall be based upon the nature of each workforce member's job and its associated duties and responsibilities. Workforce members shall have access to all of the individually identifiable health information that they need to do their jobs, but no more access than that.
- No member of the workforce shall have access to a higher level of individually identifiable health information than the level for which they have been cleared.
- The Executive Director, in consultation with HIPAA Officers and appropriate IT personnel, shall develop specific procedures to ensure that the intent of this policy is executed in fact.
- Workforce clearance shall specifically incorporate various levels of background screening to ensure that persons with criminal records or those who appear on government exclusion lists do not have inappropriate access to individually identifiable health information.
- The Executive Director shall coordinate background screening requirements with Human Resources and legal counsel to ensure that appropriate background screening requirements are established and met, which can include pre-employment and post-employment screening.
- It is the Policy of **TCS** to fully document all workforce clearance-related activities and efforts.

### Procedures

- All new employees are subject to fingerprinting and a criminal background check at the time of New Hire Orientation. Such information is retained in the employee's personnel file.
- Only active employees will have valid usernames and passwords granting access to PHI.
- TCS** employs a role-based accessed system, meaning that all individual employee databases will be password protected and contain only those records of individuals required for the employee to perform his/her work related duties. Such duties may include, but are not limited to, clinical documentation of service provision, supervisory oversight activities, peer review or other quality improvement efforts, and coordination of billing activities.
- In the case of archived paper charts (or other hard-copy PHI), only authorized staff will have access to the keys or codes required to obtain such PHI.
- All staff will be trained at the time of orientation, and annually thereafter, on HIPAA related policies, including the expectation and requirement that employees only access PHI (in any format) that is necessary to perform their work-related duties.