

Title: Breach of Health Information Policy

Policy No. 004

Effective Date:

Next Review Date:

Developed by: The Center for Health and Wellness Law, LLC On: 2022

Last Revised by: The Center for Health and Wellness Law, LLC On: 2023

Policy:

(“We”) takes client’s privacy seriously. If We become aware of a potential breach of a client’s Health Information, We will perform an assessment. The assessment will determine whether unauthorized access to the client’s Health Information occurred and to what extent. If the assessment determines an unauthorized access of client’s Health Information, then We will conclude that a breach occurred. We will notify the client, in writing, of the breach. We will take internal action to mitigate the occurrence of any future breaches.

Health Information includes, but is not limited to: the results of, or participation in, flexibility classes, wellness and stress management coaching sessions, questionnaires, exercises, mindfulness practices, general wellness education or services, and education related to the management of chronic pain and fatigue; medical history; or information protected under the Health Insurance Portability and Accountability Act of 1996, Public Law 104-91, as amended, and related HIPAA regulations (45 CFR. Parts 160-164).

Procedure:

1. **Assessment:** We will perform an assessment for a potential breach. The assessment includes a review of gaps in internal safeguards and whether the client’s Health Information was acquired by an unauthorized party, what client Health Information was involved, whether the client’s Health Information shared would easily identify the client, and the unauthorized individual’s identity. The assessment and findings will be documented and retained for the minimum amount of time, as required by law.
2. **Notification:** We will notify the client, in writing, of a breach of their Health Information. A copy of the notification will be retained for the minimum amount of time, as required by law. The notification will include the following:
 - a. A brief description of what happened, including the date of the breach and the date of the discovery of the breach, if known;
 - b. A description of the client’s Health Information involved in the breach;
 - c. Steps the client should take to protect themselves from potential harm resulting from the breach (such as notifying their bank of potential exposure or requesting a new account number);
 - d. A brief description of what We are doing to protect against any further breaches; and
 - e. Contact information for further questions (such as an email address, website, or postal address).
3. **Internal Review:** Based on the findings from the assessment, We will perform an internal review to determine steps to mitigate any future breaches.