

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) grants individuals the right to receive notice of the uses and disclosures of their protected health information (PHI) that may be made by the District, and sets forth the individual's right's and the District's legal obligations with respect to PHI. The District declares itself a hybrid entity under the law.

The District will maintain all PHI in accordance with law. Protected health information does not include information contained in student education records covered by the Family Educational Rights and Privacy Act (FERPA) or employment records held by the District in its role as an employer.

Protected health information will only be available to designated employees who need to have access to those records in their employment capacity with the District and with other authorized entities. Employees will not disclose or use PHI unless an appropriate written consent/authorization exists, an actual emergency exists, or unless otherwise authorized by law. The District will train all employees who may have contact with protected health information on the law and the District's policies and procedures as necessary and appropriate for the employee's position. Any employee failing to comply with District policies, procedure, or law may be disciplined or terminated.

The District will not intimidate, threaten, coerce, discriminate against or take other retaliatory action against any individual for exercising his or her rights; participating in any process; filing a complaint; testifying, assisting or participating in an investigation, compliance review, proceeding or hearing; or in good faith opposing any act or practice the individual believes is unlawful, in accordance with law. The District's privacy official is:

Superintendent of Schools
Grand Rapids Public Schools
1331 Franklin SE., PO Box 117
Grand Rapids, MI 49501-0117
Phone: (616) 819-2000

The District privacy official's duties include but are not limited to:

- Developing and implementing the District's policies and procedures regarding protected health information,

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- Receiving and evaluating requests for amendments of protected health information,
- Answering questions regarding privacy issues,
- Providing training to District employees, and
- Reviewing and deciding appeals concerning complaints initially decided by the contact person.

The District's contact person and security official is:

The Human Resources/Legal Services Administrator
Grand Rapids Public Schools
1331 Franklin SE., PO Box 117
Grand Rapids, MI 49501-0117
Phone: (616) 819-2000

The District contact person/security official's duties include, but are not limited to:

- Receiving and reviewing complaints,
- Determining whether a violation of policy or procedure has occurred, determining the potential harmful effects, and deciding upon an action to minimize the harm,
- Referring violators to appropriate administrators for possible discipline,
- Providing information about matters covered in the District's privacy notices,
- Insuring that notices of privacy practices are distributed as required by law,
- Developing and implementing the District's security policies and procedures, and
- Performing tests and assessments of technology safeguards at the direction of the Superintendent.

Approved: June 29, 2009

LEGAL REF: 20 U.S.C. § 1232g (FERPA); Health Insurance Portability and Accountability Act (HIPAA), 42 USCA § 210 *et seq.* (P.L. 104-191 of 1996); 45 C.F.R. §§ 160.101 *et seq.*; 164.102 *et seq.*