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	Leadership	Date Effective:	September 30, 2023
	Policy: Protection of Confidential Information	Date of Origin:	August 28, 2014
	Approved By: Corporate Compliance Committee, Administrative Policy Council	Date Approved:	September 20, 2023

## I. Purpose

The purpose of this policy is to define the expectations for all members of the Connecticut Children's workforce (as defined below) with respect to maintaining the confidentiality of sensitive business information, personal information and/or protected health information (PHI) obtained and/or maintained by Connecticut Children's Medical Center, including all affiliates and subsidiaries of CCMC Corporation (Connecticut Children's) in the course of its business.


## II. Policy

It is the policy of Connecticut Children's to use all reasonable efforts to protect the confidentiality of all sensitive business information, personal information, and PHI obtained from patients, families, employees, and others in the course of conducting Connecticut Children's business by adhering to the parameters described below.


## III. Inclusion/Exclusion Criteria/Indications/Definitions

### A. Definitions

1. Authorized individual is defined as an individual who has been granted access to physical areas, electronic systems, and/or documents or information containing confidential information by the appropriate Connecticut Children's department (Information Security, Health Information Management, and/or department director or designee, as applicable). A vendor or contractor who is considered a Business Associate is not an authorized individual until such vendor or contractor has signed a Business Associate Agreement with Connecticut Children's (see Business Associates and Agreements policy).
2. Business Associate is defined as a person or entity, other than a member of the Connecticut Children's Workforce, who performs, or assists in performing, functions or activities on behalf of, or provides certain services to, Connecticut Children's that involve the use or disclosure of protected health information, including claims processing or administration, data analysis, processing or administration, utilization review, quality assurance, certain patient safety activities, billing, benefit management, practice management, and repricing, legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, or financial services.
3. Confidential Information is defined as sensitive business information, personal information, and/or PHI, all as defined below.
4. Connecticut Children's Workforce is defined as Connecticut Children's employees, students, volunteers, contracted staff, and other individuals who perform work on behalf of and under the direct control of Connecticut Children's and may have access to confidential information as a result of their affiliation with Connecticut Children's.

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5. HIPAA is defined as the Health Insurance Portability and Accountability Act of 1996, as amended from time to time.
6. Minimum Necessary is defined as the minimum information that is needed to satisfy the particular purpose or carry out the particular task for which the confidential information is being used and/or disclosed.
7. Personal Information is defined as identifying information about an individual other than a patient (such as an employee or other workforce member) that is obtained and/or maintained by Connecticut Children's in the performance of its business operations, and that is capable of being associated with a particular individual through one or more identifiers, including, but not limited to, a Social Security number, a driver's license number, a state identification card number, an account number, a credit or debit card number, a passport number, an alien registration number or a health insurance identification number. Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.
8. Protected Health Information (PHI) is defined as information, including demographic information, about an individual that 1) is created or received by a health care provider, health plan, or health care clearinghouse; 2) could be used, alone or in combination, to identify the individual; and 3) relates to (i) the past, present or future physical or mental health or condition of the individual; (ii) the provision of health care services to the individual; or (iii) the past, present, or future payment for the provision of health care services to an individual. This includes PHI which is recorded or transmitted in any form or medium (verbally, or in writing, or electronically). PHI excludes health information maintained in educational records and health information maintained by Connecticut Children's about its employees in its role as an employer.
9. Sensitive business information is defined as any information about Connecticut Children's that is learned through or as a result of the authorized individual's affiliation with Connecticut Children's and is not generally known to the public. Such information includes, without limitation, program information; computer programs; marketing, organizational, financial, operating, research and development, and business plans and processes; organization policies and manuals; personnel information; nonpublic financial and pricing information; grant, donor, or prospect lists and information on grantors, donors, and/or prospects, grantors or their employees, prospects or their employees; information concerning planned or pending projects or collaborations; intellectual property; and information received in confidence from third parties.

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10. Unauthorized individual is defined as a person or entity that has acquired and/or accessed confidential information without authorization from Connecticut Children's and/or the individual who is the subject of the information, as required by law.

B. Scope: This policy covers all persons working, volunteering, or otherwise doing business with Connecticut Children's, both for the duration of the employment, volunteer, business relationship, or other affiliation with Connecticut Children's and after such relationship has terminated.


#### IV. Key Points

##### A. Onboarding Requirements


1. All Connecticut Children's employees, and other applicable members of the Connecticut Children's workforce with access to confidential information, shall, at the time of initial onboarding, (i) be informed of this policy and (ii) sign a Confidentiality Agreement in the form of Appendix A attached hereto or provide other satisfactory assurances of confidentiality in an alternative form and manner approved by the Legal Department. The department with primary responsibility for hiring and/or managing the relationship with the individual (e.g. Human Resources, Education & Development, Volunteer Services, or Supply Chain Services) shall retain the signed statement.
  - a) Vendors who are performing functions on behalf of Connecticut Children's that involve the use or disclosure of PHI may also need a Business Associate Agreement. See Connecticut Children's Business Associates and Agreements policy.
  - b) No confidential information should be shared with the individual until the above requirement has been met.
2. Annually thereafter, as applicable, all members of the Connecticut Children's Workforce shall participate in training and/or validations covering Connecticut Children's policy and requirements on handling PHI.

##### B. Conduct of Personnel

1. All members of the Connecticut Children's workforce are responsible for maintaining the confidentiality of confidential information. As such, confidential information shall be shared only for its intended purpose and only on a "need to know" basis, and shall be treated in accordance with all applicable laws, regulations, and Connecticut Children's policies.
2. Members of the Connecticut Children's workforce shall make reasonable efforts to ensure that confidential information is not accessed by, discussed with, and/or disclosed to unauthorized individuals. This includes, but is not limited to, the following measures:

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- a) Collecting and/or discussing confidential information only as necessary for the performance of approved Connecticut Children's professional responsibilities, and only in settings that provide reasonable privacy and protection from being overheard by unauthorized individuals;
  - b) Avoiding leaving documents, records, and/or electronic devices containing confidential information unsecured and/or unattended in public areas easily accessible to unauthorized individuals, to the extent technically feasible and reasonable;
  - c) Maintaining electronic files containing confidential information on secured, authorized devices only, and not sharing passwords with or allowing access to such devices by unauthorized individuals;
  - d) Not disclosing or discussing confidential information with individuals who do not have a job-related need to know, whether to members of the Connecticut Children's workforce or to third parties outside of Connecticut Children's (such as a family member or friend);
  - e) Accessing confidential information only to the extent authorized to do so;
  - f) Transporting documents containing PHI in accordance with Connecticut Children's Transport of Protected Health Information procedure; and
  - g) Abiding by the provisions of any other obligations of confidentiality to which Connecticut Children's, and/or the individual in their capacity as a member of the Connecticut Children's workforce, is a party.
3. Minimum Necessary: Members of the Connecticut Children's workforce shall make reasonable efforts to limit their access to and use and disclosure of confidential information to the minimum necessary required to accomplish the user's job responsibilities, except as otherwise permitted or required by law. Refer to Connecticut Children's Minimum Necessary Access and Disclosure policy.
4. With respect to SSNs, the following is expressly prohibited:
- a) Printing an individual's Social Security number on any card required for the individual to access Connecticut Children's products or services;
  - b) Requiring an individual to transmit their SSN over the Internet, unless the connection is secure or the Social Security number is encrypted; or
  - c) Requiring an individual to use their SSN to access an Internet web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet web site.
5. Accessing, using, and/or disclosing confidential information for reasons other than the performance of an individual's professional responsibilities as approved by Connecticut Children's is strictly prohibited.
6. Members of the Connecticut Children's Workforce shall report suspected or actual breaches of confidential information to their immediate supervisors and/or the Compliance Department in accordance with the Breach of Confidential Information policy.

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7. A confirmed breach of confidential information by a member of the Connecticut Children's workforce may be cause for sanctions up to and including termination of the employment or business relationship, as further described in Connecticut Children's Privacy and Security Violation Sanctions policy and Employee Performance Improvement policy.

#### C.Additional General Guidelines for Access to Health Records


1. Except as otherwise authorized by Connecticut Children's policies, staff shall direct all requests for access to Connecticut Children's health records to the Health Information Management Department, which is responsible for ensuring that protected health information is released only in accordance with all applicable legal, accrediting, and regulatory agency requirements and Connecticut Children's policies, including but not limited to the Connecticut Children's HIPAA Manual.
2. Original health records may not be removed from the jurisdiction or safekeeping of Connecticut Children's without the permission of the Risk Management or Legal Department(s).

#### V.References

Connecticut General Statutes § 42-470 et seq.  
Connecticut General Statute §36a-701b and Public Act 08-167  
The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy & Security Rules, 45 C.F.R. 160 and 45 C.F.R 164 Parts A, C, E  
The Health Information Technology for Economic and Clinical Health Act 2009 (HITECH), Public Law 111-5

#### VI.Related Documents

Acceptable Use of Technology Resources  
Appropriate Use of Artificial Intelligence Technologies  
Billing Standards of Conduct  
Breach of Confidential Information  
Children in the Workplace  
Code of Conduct  
Conducting a Telehealth Encounter  
Confidentiality and Consent to Treatment by Minors  
Data Center Access  
Disposal of Confidential Waste  
Emergency Data Center Access  
HIPAA Manual  
Information Blocking  
Informed Consent  
Interoffice Mail  
Medical Record Documentation

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Minimum Necessary Access and Disclosure

Paging

Privacy and Security Violations Sanctions

Release of Health Information

Remote Access

Special Visitors/Tours of and Entertainment Programs for Connecticut Children's

Student Placements

Taxable Research Payments

Telecommuting/Work from Home

Transport of Protected Health Information

Use and Disclosure of De-Identified and Re-Identified Protected Health Information

Use and Disclosure of Protected Health Information in a Limited Data Set

Vendor Management

Websites and Social Media



## **EXHIBIT A**

### **CONNECTICUT CHILDREN'S MEDICAL CENTER & AFFILIATES AND SUBSIDIARIES OF CCMC CORPORATION CONFIDENTIALITY AGREEMENT**

I, \_\_\_\_\_, understand that in the course of my work and/or visit as an  
(Print Full Name)

☐ employee, ☐ contracted/temporary staff member, ☐ student, ☐ volunteer, ☐ vendor, or  
☐ other (specify): \_\_\_\_\_ at Connecticut Children's Medical Center,  
including all affiliates and subsidiaries of CCMC Corporation, hereinafter referred to as  
"Connecticut Children's," I may have access to Confidential Information, including patient health  
information, sensitive personal information, or other sensitive business information.

Confidential Information means any information obtained as a result of my affiliation with  
Connecticut Children's that is not generally known or accessible to the public, whether or not  
expressly identified to me as confidential, including but not limited to information that falls into  
one or more of the following categories:

1. Any records or information, whether financial, medical or personal, regarding the identity,  
history, condition, care, treatment or billing of a Connecticut Children's patient (also known  
as Protected Health Information or PHI).
2. Any records or information relating to Connecticut Children's medical staff credentialing,  
discipline or other peer review activities.
3. Any records or information pertaining to Connecticut Children's or its business partners'  
operations; strategic, marketing or business plans; acquisitions, costs, financials, or  
contracts; or other business information that is not generally known to the public.
4. Any records or information related to a pending, threatened or potential lawsuit or  
administrative, civil, criminal or other legal claim by or against Connecticut Children's.
5. Any records or information concerning Connecticut Children's employees, including but not  
limited to health records and personnel records.

**By signing this document, I agree:**

1. To abide by all of Connecticut Children's policies, procedures, and guidelines relating to the  
use, access, and protection of Confidential Information.
2. To hold in strictest confidence and maintain the privacy of all Confidential Information and  
not to disclose Confidential Information except as permitted by Connecticut Children's  
policies, procedures and guidelines. I must protect the privacy of all Confidential Information  
at all times, including discussions with family or friends when I am off duty or am no longer  
associated with Connecticut Children's.
3. That I have no right or ownership interest in Confidential Information.
4. To immediately report to Connecticut Children's any use or disclosure of Confidential  
Information that is not permitted by this Agreement and to take any action necessary or  
requested by Connecticut Children's to mitigate, to the extent practicable, any harmful effect  
that is known to me of a use or disclosure of Confidential Information in violation of  
applicable law or Connecticut Children's policies, procedures or guidelines.
5. That I will access Confidential Information for the sole purpose of performing my approved  
position responsibilities and will not access Confidential Information at the request of others  
who do not have a need or right to access to such Confidential Information.

6. To appropriately use Confidential Information only in connection with the performance of my approved position responsibilities; to use only the minimum necessary patient health information required to perform my assigned function or job; and not remove Confidential Information from Connecticut Children's premises, except as required by my position and in accordance with Connecticut Children's policies, procedures and guidelines.
7. That I will not discuss Confidential Information where unauthorized persons can overhear the conversation; and will not leave Confidential Information where it can be seen by unauthorized persons.
8. That I will not leave my computer terminal unattended or unsecured while on-line or share or lend my user password or authentication code with any other person.
9. To ensure that all Confidential Information is retained and destroyed in accordance with Connecticut Children's policy, procedures and guidelines.

**By signing this document, I understand that:**

1. The access to and use of Confidential Information is subject to regular audit and monitoring.
2. The restrictions described in this Agreement are in force at all times and in all locations of the organization.
3. If I fail to comply with the terms of this Agreement or Connecticut Children's confidentiality policies, I may be subject to disciplinary action, up to and including termination from my position (or, in the case of a vendor, becoming banned from Connecticut Children's premises).
4. A patient's right to the confidentiality of Protected Health Information is protected by state statutes and federal laws, and by Connecticut Children's policies, procedures and guidelines.
5. If I violate this Agreement, I may, as an individual, be subject to civil or criminal legal action for which I will not be provided defense counsel or insurance coverage by Connecticut Children's.

My obligations under this Agreement shall survive termination of my affiliation with Connecticut Children's and termination of this Agreement.

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Signature

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Department

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Name: (Please Print or Type)

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Date



# Document Information

## Document Title

Protection of Confidential Information

## Document Description

The purpose of this policy is to define the expectations for all members of the Connecticut Childrenâ€™s workforce (as defined below) with respect to maintaining the confidentiality of sensitive business information, personal information and/or protected health information (PHI) obtained and/or maintained by Connecticut Childrenâ€™s Medical Center, including all affiliates and subsidiaries of CCMC Corporation (Connecticut Childrenâ€™s) in the course of its business.

NOTE: This document replaces the following previously existing policies, which have been retired: Confidentiality Agreement; Social Security Numbers - Personal and Protected Health Information; and Patient Health Information Confidentiality

## Approval Information

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**Approved By:** Corporate Compliance Committee and Administrative Policy Council

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**Standard References:** N/A

**Note:** This copy will expire in 24 hours