

VNS HEALTH CORPORATE POLICY & PROCEDURE

TITLE: Designation of Privacy Officer

APPLIES TO: VNS Health Home Care, including the Home Care, and Care Management Organization (CMO) divisions;
VNS Health Personal Care;
VNS Health Behavioral Health, Inc.;
VNS Health Health Plans;
VNS Health Hospice Care; and
Medical Care at Home, P.C. (collectively, "VNS Health")

POLICY OWNER: Corporate Compliance Department

FIRST ISSUED: March 2022

NUMBER: HIPAA.19

PURPOSE

This policy and procedure establishes the general rules for designating a Privacy Officer.

POLICY

- A. VNS Health will at all times have a designated Privacy Officer responsible for the development and implementation of VNS Health's policies and procedures, as required by the Privacy Rule.
- B. The Privacy Officer will also be responsible for receiving complaints related to VNS Health's handling of PHI, and will provide further information about matters covered by VNS Health's Notice of Privacy Practices.
- C. The Privacy Officer may delegate certain of their responsibilities under these Privacy Policies to other VNS Health employees, provided that the Privacy Officer monitors and oversees such designees. Throughout these Privacy Policies, references to the "Privacy Officer" shall mean either the Privacy Officer or an authorized designee, as described in this paragraph.

PROCEDURE

- A. **Designation of Privacy Officer:** VNS Health has designated a Privacy Officer via the Designation of a Privacy Officer/Contact Person for VNS Health form. This documentation will be maintained for six (6) years after the employee designated as Privacy Officer is no longer VNS Health's Privacy Officer.
- B. **Duties and Responsibilities:**
- i. The Privacy Officer will be responsible for implementing all of VNS Health's policies and procedures related to the use and disclosure of PHI, as required by the Privacy Rule.
 - ii. VNS Health may designate an alternate Privacy Officer to be responsible for the duties of the primary Privacy Officer in the event that the primary Privacy Officer is absent or unavailable at a time when an action by the Privacy Officer is required or indicated.
 - iii. If at any time the designated Privacy Officer leaves employment of VNS Health, or is expected to be away from VNS Health for an extended period of time, and there is no alternate Privacy Officer available, then VNS Health will designate a new Privacy Officer, who will assume the responsibilities of the Privacy Officer.
 - iv. The Privacy Officer will develop, as appropriate, additional policies and procedures of VNS Health related to the Privacy Rule governing PHI.
- C. **Contact Person:**
- i. The person responsible for receiving complaints related to VNS Health's handling of PHI will be the Privacy Officer.
 - ii. The Privacy Officer will also provide further information about matters covered by VNS Health's Notice of Privacy Practices.

REFERENCES:

45 CFR § 164.530(a)(1)

Reviewed:	3/2022	6/2023						
Revised & Approved:	6/2022	9/2023						

DESIGNATION OF A PRIVACY OFFICER/CONTACT PERSON FOR VNS HEALTH

DESIGNATION

The following individual is hereby designated as VNS Health's Privacy Officer/Contact Person:

Name/Title: Annie F. Miyazaki-Grant, Chief Compliance and Privacy Officer

E-mail Address: Annie.Miyazaki-Grant@vnshealth.org

DUTIES

The duties of the Privacy Officer/Contact Person will include, but are not limited to:

- A. Developing and implementing programs designed to train employees, volunteers, VNS Health staff and all other individuals involved in patient care in the Privacy Policies;
- B. Receiving reports from employees, volunteers, VNS Health staff and other individuals involved in patient care concerning violations of these Privacy Policies;
- C. Investigating and remedying ongoing violations of these Privacy Policies, including administering sanctions to employees, volunteers, laboratory staff and all other individuals involved in patient care, when appropriate, for violations of these Privacy Policies;
- D. Suggesting amendments to these Privacy Policies and all other forms, provisions within forms, contracts or other documents that affect the privacy of Protected Health Information ("PHI");
- E. Ensuring Business Associate Agreements are executed when necessary and receiving reports from all sources regarding Business Associates' compliance with applicable Privacy Policies and terminating contracts with Business Associates when necessary to ensure continued compliance with laws and regulations governing the use and disclosure of PHI;
- F. Cooperating with, and coordinating to the extent possible, any audits of the Secretary of the United States Department of Health and Human Services or any other governmental or accrediting organization concerning compliance with state or federal privacy laws or regulations;
- G. Notifying patients when their health information has been used or disclosed in violation of privacy practices;
- H. Accepting and forwarding any legal complaints to legal counsel;
- I. Maintaining and distributing, as necessary, information about privacy practices;
- J. Responding to suggestions and complaints regarding privacy practices;
- K. Providing clarifications regarding privacy practices;
- L. Responding to requests for access to PHI;
- M. Responding to requests for amendment of PHI;
- N. Responding to requests for accountings of disclosures;
- O. Performing any other assigned functions; and
- P. Documenting, in writing, the actions taken in compliance with (a) through (o) above.

The policies and procedures developed and the methods of implementation chosen by the Privacy Officer/Contact Person are subject to final approval of the Board of Directors.

TERM

The Privacy Officer/Contact Person will serve until removed or until they resign from the position.

Effective as of March 1, 2022

Signature

Annie F. Miyazaki-Grant
Chief Compliance & Privacy Officer
VNS Health