

# ADMINISTRATIVE POLICY & PROCEDURES MANUAL

## HOME CARE UNLIMITED

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### SANCTIONS

HH.23

#### Purpose

To ensure there are appropriate sanctions that will be applied to employees who violate the requirements of the HIPAA Privacy Rule and/or Home Care Unlimited of El Paso's HIPAA privacy policies and procedures.

#### Policy

It is the policy of this Facility to discipline employees who fail to comply with Home Care Unlimited of El Paso's policies and procedures regarding HIPAA.

#### Procedure

1. When a concern arises regarding a possible violation of HIPAA or Home Care Unlimited of El Paso's policies or procedures related to HIPAA, Home Care Unlimited of El Paso Privacy Official shall begin an investigation promptly. (See the Policy "Complaints" regarding conducting an investigation.)
2. If, at the conclusion of the investigation, it is found that a violation of Home Care Unlimited of El Paso's policy or procedure has occurred, the employee involved shall be disciplined in accordance with the severity of the violation and Home Care Unlimited of El Paso's disciplinary policy. Violations can be classified according to intent such as:
  - a. Level I Violations are those made accidentally or due to a lack of education.
  - b. Level II Violations are serious violations that are found to show purposeful disregard of Facility policy.
3. Home Care Unlimited of El Paso Privacy Official shall review the circumstances surrounding any substantiated violation and take appropriate action to mitigate, to the extent possible, any harmful effects of the violation.

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4. Documentation from the investigation shall be given to Home Care Unlimited of El Paso Privacy Official to be maintained as a part of Home Care Unlimited of El Paso's HIPAA documentation and retained for six years.
5. The disciplinary action report documenting the employee's violation shall be placed in the employee's personnel file as well as a copy provided to Home Care Unlimited of El Paso Privacy Official.

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SANCTIONS

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