



ST. JOSEPH HOSPITAL

Original: 10/1990
 Review: 05/2013
 Next Review: 05/2016
 Policy Champion: *Wesley Layne: Director of Human Resources*
 Policy Area: *HR - Employment*
 Applicability: *Nashua St. Joseph Hospital*

Confidentiality of Business Information, HR-43

PURPOSE:

The purpose of this policy is to establish an effective policy statement and process for the handling of confidential business information in order to protect the organization, patients, employees and staff from the consequences of misappropriation and/or misuse of confidential business information and to protect the organization's legitimate business interests in the confidentiality of its proprietary information.

Nothing herein should be construed to restrict an employee's ability to discuss terms and conditions of employment or otherwise prohibit communications which would be permitted under applicable law, including but not limited to the National Labor Relations Act.

Scope:

This policy applies to St. Joseph Hospital and its affiliated entities, referred to collectively as St. Joseph Healthcare (SJH). It applies to everyone who comes in contact with confidential business information, including employees, board and committee members, physicians, volunteers, students, vendors and anyone who may become aware of confidential information through his or her role within SJH.

POLICY:

St. Joseph Healthcare strives to preserve and protect confidential business information (as further defined below) from misuse or unauthorized disclosure. This policy is reinforced within the Covenant Health Systems' Standards of Conduct.

PROCEDURE:

Every person who comes in contact with confidential business information is responsible for understanding this policy and related policies. Any questions regarding the application of these policies should be directed to supervisors or/and administration, as appropriate.

All employees, volunteers and students are required to sign a confidentiality statement upon hire or upon initiation of rotation or service with the organization. Supervisors are also expected to have employees sign a confidentiality statement at the annual performance review.

Managers are responsible to ensure that confidential business information is safeguarded. There are policies referenced below that also address procedures regarding computer access and measures to safeguard confidential business information in electronic format. Additionally, managers are responsible to oversee that:

1. Confidential business information is disclosed only to those recipients who have a legitimate need to know the information.
2. Confidential business information is displayed in a manner that is not accessible to unauthorized individuals.
3. Confidential business information is securely stored.
4. Documents with confidential business information are marked as “confidential”.
5. Documents are sent in secure envelopes or packages and marked as “confidential.”
6. Documents are retained within time limits prescribed by law and/or common practice.
7. Documents are destroyed by shredding.
8. Documents are stored prior to shredding in locked receptacles.
9. Documents are faxed using the procedures defined in faxing policy.

One or more violation of this policy or related policies will be considered sufficient cause for disciplinary action, including termination of employment. In the instance of a violation by someone other than an employee, the person’s relationship with the organization may be terminated. Medical Staff and Allied Health Practitioners will be referred to medical staff leadership for appropriate disciplinary action utilizing the Medical Staff Bylaws and related manuals and policies. (see also HIM 10 Authorization for the Use of Disclosure of Health Information)

REFERENCES:

(Plan to list all relevant policies here)

ATTACHMENT:

1. Definitions
2. Confidentiality Statement-
 - a. for Review
 - b. for New Hire Orientation
3. Facsimile Cover Letter (Inventory #2197)

RESPONSIBILITY:

All employees

APPROVAL:

PRESIDENT/C.E.O.

Attachments:

-  [A: Definitions](#)
-  [B: Confidentiality Statement](#)
-  [C: Facsimile Cover Letter \(Inventory #2197\)](#)

DEFINITIONS

“Confidential business information” includes information in any media or form, including but not limited to, information that is communicated verbally; in writing (such as in reports, minutes, letters or e-mails) or in electronic format (such as in databases or on internal or external servers). The following list is intended to be a non-exhaustive list of classifications of information that is accepted as confidential:

1. Quality assurance, peer review and process improvement information is defined by state law as being privileged and confidential and protected from legal discovery provided that proper care is taken to protect the information. Only the Board of Directors can waive the privilege afforded by the law.
2. Information concerning legal matters that fall under the attorney-client privilege or/and the work product doctrine is considered confidential and privileged under the law provided that proper care is taken to protect the information.
3. Personnel information includes, but is not limited to, salaries and wages, demographic information, disciplinary actions, disability and workers compensation information, personal medical information, leave information and personal benefits information obtained through access granted as part of formal Company duties.
4. Proprietary Business Information includes, but is not limited to financial records, strategic planning documents and data, contracts, pricing, salary structure and program documents.
5. Intellectual Property which can be copyrighted or the subject of patents includes creations of the mind: inventions, literary and artistic works, and symbols, names, images, and designs used in commerce. This includes information concerning research methods and results, development of new technology, program development ideas, publications, marketing logos, etc.
6. Personal Health Information defined by the Health Insurance Portability and Accountability Act, commonly referred to as “HIPAA” is addressed by other policies referenced below. Specifically see HIM - 10.



Department/Unit Name: _____

New Hire Orientation

CONFIDENTIALITY STATEMENT

I understand and agree that as an employee, volunteer, consultant, subcontractor or student of St. Joseph Healthcare, I am required to keep confidential all information regarding patients, healthcare providers, and employees. Also I understand I must keep confidential all business, financial, and legal information I may have access to. I further understand I am only allowed to retrieve information necessary to perform my assigned tasks. I understand that any violation to this confidentiality may be grounds for disciplinary action up to and including dismissal.

Nothing herein should be construed to restrict an employee’s ability to discuss terms and conditions of employment or otherwise prohibit communications which would be permitted under applicable law, including but not limited to the National Labor Relations Act.

I have received and had explained to me the Confidentiality of Business Information Policy of St. Joseph Healthcare, Policy HR-43.

Signature of employee, student, volunteer, or other

Date

Signature of Director, Organizational & Service Excellence

Date