

LAKE COUNTYBOARD OF DD/DEEPWOOD
BOARD POLICY

Reviewed and Adopted by the Board:
Date: January 21, 2023

Signature on File
Elfriede Roman, Superintendent

I. SUBJECT: HIPAA, FERPA, and IDEA COMPLIANCE

II. PURPOSE:

To affirm the Board's intention to comply with all requirements of the the HIPAA regulations and, the privacy and computer security portions of the FERPA regulations and IDEA regulations.

III. REFERENCES:

45 CFR §160 and 164 Health Insurance Portability and Accountability Act, Privacy and Security of Individually Identifiable Health Information
34 CFR §99 Family Education Rights and Privacy Act
34 CFR §Parts 300, 301, and 303 Individuals with Disabilities Education Act

IV. POLICY:

The Board shall conform to all requirements for privacy and computer security set forth in the HIPAA, FERPA and IDEA regulations and state laws governing these areas. Further, these regulations establish certain rights to individuals served, and the Board shall institute processes to ensure that these rights are properly administered.

The HIPAA Security and Privacy Officer(s)] shall recommend appropriate Board policies and maintain written standards (*Attachment A - Confidentiality and Computer Security Standards Manual*) to implement these regulations for all departments. These standards shall address, in a comprehensive manner, the following regulations:

1. The HIPAA (Health Insurance Portability and Accountability Act of 1996) Privacy Regulations, which define Protected Health Information (PHI), specify permitted uses and disclosures of PHI, rights of individuals served and various required administrative procedures;
2. The HIPAA Security Regulations, which establish standards to ensure the confidentiality, integrity and availability of all electronic PHI;
3. The HIPAA Breach Notification Regulation, which establishes procedures to notify individuals, the federal government and the media in the event of a data breach;

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4. The FERPA (Family Educational Rights and Privacy Act) Regulations, which define Education Records, specify rights of families to inspect and correct records and rules for confidentiality and disclosure; and
5. The confidentiality provisions contained in the IDEA (Individuals with Disabilities Education Act) Regulations, which govern rights of individuals with disabilities as they relate to early intervention, pre-school programs, and school programs.

All Employees must conform to these standards and any employee who fails to conform to the standard may be subject to disciplinary action.

The HIPAA Security Officer and the HIPAA Privacy Officer shall be appointed by the Superintendent.

V. DISTRIBUTION:

Board Members
All Management Staff
All Staff (via Department Managers)
LEADD President

VI. REVIEWED:

1/23, 5/21, 5/19, 5/18, 5/17, 5/16, 5/15, 5/14, 5/13, 3/11, 4/09, 4/07, 4/05, 4/03