



## HIPAA Security Rule

### Tulane University Sanction Policy

<b>Department:</b> Technology Services	<b>Policy Description:</b> Sanction Policy (R)
<b>Standard:</b> Security Management Process	<b>Section:</b> 164.308(a)(1)
<b>Approved:</b> April 19, 2005	<b>Revised:</b>
<b>Effective Date:</b> April 20, 2005	<b>Policy Number:</b> TS-3

#### PURPOSE

The purpose of this policy is to apply appropriate sanctions against workforce members who fail to comply with the security policies and procedures of the Tulane University as required by the Security Rule.

#### SCOPE

This policy applies to Tulane University Medical Group, its participating physicians and clinicians, and all University employees and business units who provide management, administrative, financial, legal, and operational support to or on behalf of Tulane University Medical Group and have been designated as part of the Tulane University HIPAA Health Care Component.

#### POLICIES AND PROCEDURES

Tulane University ensures that all workforce members comply with the security policies of the organization, as well as state and federal regulations such as HIPAA, by applying sanction and disciplinary actions on workforce members who do not comply with such security policies and procedures. Compliance with these security policies and procedures is necessary to ensure the confidentiality, integrity and availability of e-PHI.

Tulane University disciplines employees and other workforce members for violations of security policies or procedures to a degree appropriate for the gravity of the violation. These sanctions include, but are not limited to, re-training, verbal and written warnings and immediate dismissal from employment. The type of sanction depends on such factors as the employee's history of non-compliance, the frequency of non-compliance, the impact of non-compliance to the availability, integrity and confidentiality of e-PHI, and the employee's awareness or knowledge of the non-compliance.

Anyone who knows or has reason to believe that another person has violated a security policy or procedure should report the matter promptly to his or her supervisor or the Security Officer. All reported matters will be investigated, and, where appropriate, steps will be taken to mitigate to the extent possible any negative effects that the incident may have had in a timely manner.

All disciplinary actions taken must be recorded in the employment records of the employee. Any attempt to retaliate against a person for reporting a violation of the security policies or procedures will be considered a violation of this policy that may result in disciplinary action up to and including termination of employment.

#### RESPONSIBILITIES:

All individuals identified in the scope of this policy are responsible for:

- Compliance with any sanction that is applied to them under this policy

The Security Officer is responsible for:

- Reviewing reported security incidents and violations of security policy and levying, in consultation with the Human Resources department, appropriate sanctions upon the workforce member based on the gravity of the non-compliance.

Employees who violate this policy will be subject to disciplinary action up to and including termination of employment. Anyone who knows or has reason to believe that another person has violated this policy should report the matter promptly to his or her supervisor or the Security Officer. All reported matters will be investigated, and, where appropriate, steps will be taken to remedy the situation. Where possible, every effort will be made to handle the reported matter confidentially. Any attempt to retaliate against a person for reporting a violation of this policy will itself be considered a violation of this policy that may result in disciplinary action up to and including termination of employment.

**IMPLEMENTATION SPECIFICATION:**

§ 164.308 Administrative safeguards.

(a) A covered entity must, in accordance with § 164.306:

(ii) Implementation specifications:

(C) **Sanction policy** (Required). Apply appropriate sanctions against workforce members who fail to comply with the security policies and procedures of the covered entity.