

<b>MANAGEMENT</b>		CAAS#:	103.01.01.O.04C18
		Other Location:	HIPAA MANUAL
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	Original Effective:	01/01/2013	
	HIPAA	Revised:	06/01/2013
STAFF MEMBER ELECTRONIC COMMUNICATIONS	Review:	06/01/2016	

**Purpose:**

First Responder Emergency Medical Services Inc. is required under the Health Information Portability and Accountability Act of 1996 (“HIPAA”) to ensure that protected health information (“PHI”) that we create, receive, maintain or transmit is not improperly disclosed through any means, including electronic means. The purpose of this policy is to prevent the improper use or disclosure of PHI through electronic means, while staff members are on and off-duty.

**Scope:**

This policy covers any and all electronic communications of First Responder Emergency Medical Services Inc. staff members when those communications involve the use or disclosure of PHI created, received, maintained or transmitted by First Responder Emergency Medical Services Inc.. This policy applies to all staff members both on and off duty, whether using company or personal equipment.

**Procedure:**

***General Rules Regarding Company Equipment***

1. All PHI created, received, maintained or transmitted using any “Company Equipment” is at all times the property of First Responder Emergency Medical Services Inc. and may be considered to be part of the official records of First Responder Emergency Medical Services Inc.. “Company Equipment” is any electronic device that is owned, leased, controlled, or used for the benefit of First Responder Emergency Medical Services Inc.. This includes, but is not limited to: computers, cell phones, cameras, USB drives, and other devices that are capable of creating, capturing, storing, and/or transmitting electronic information.
  
2. All Company Equipment shall remain at all times the property of First Responder Emergency Medical Services Inc., even if being used for personal use.

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<b>MANAGEMENT</b>	 <b>FIRST RESPONDER</b> <small>EMERGENCY MEDICAL SERVICES INC.</small>	CAAS#:	103.01.01.O.04C18
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3. First Responder Emergency Medical Services Inc. cannot guarantee the confidentiality of information stored on any Company Equipment, except that it will take all steps necessary to secure the privacy of all PHI in accordance with all applicable laws. Information stored on Company Equipment is subject to disclosure to law enforcement or other third parties at the sole discretion of First Responder Emergency Medical Services Inc..
4. First Responder Emergency Medical Services Inc. may monitor activity on Company Equipment, our information systems and our network(s) at any time for the purpose of ensuring that PHI is not being improperly used or disclosed. This includes the ability to monitor internet activity and email, as permitted by law.
5. All internet activity (browsing, email, etc.) using Company Equipment must comport with First Responder Emergency Medical Services Inc.'s HIPAA Policies and Procedures and staff members may not disclose PHI on the internet using Company Equipment unless the disclosure is authorized by First Responder Emergency Medical Services Inc., would not violate HIPAA or other applicable federal and state laws, and the disclosure is for a legitimate, business-related purpose. For example, emailing demographic information about a patient to a patient's insurer for purposes of billing may be a permissible use.

***General Rules Regarding Personal Equipment***

1. Staff members must comply with First Responder Emergency Medical Services Inc.'s HIPAA Policies and Procedures when engaging in internet activity on "Personal Equipment," both on and off-duty. "Personal Equipment" includes any internet-capable device that is not owned, leased or otherwise controlled or used for the benefit of First Responder Emergency Medical Services Inc..
2. Where permitted by law to do so, First Responder Emergency Medical Services Inc. will investigate internet activity, whether on or off-duty, and take appropriate disciplinary action against staff members whenever First Responder Emergency Medical Services Inc. learns about a possible or actual violation of our HIPAA Policies and Procedures.

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3. Staff members should consult with the HIPAA Compliance Officer whenever there is a question regarding whether an internet posting or internet activity might violate our HIPAA Policies and Procedures.
4. The following types of activities are prohibited at all times and can result in disciplinary action:
  - a. Posting, sharing, or otherwise disseminating any PHI relating to First Responder Emergency Medical Services Inc. patients without authorization from First Responder Emergency Medical Services Inc..
  - b. Posting, sharing or otherwise disseminating information that could potentially identify a patient, including: photos, videos or other images of a scene or patient; a description of patient injuries, or; other scene activities that could be identified with a specific scene without authorization from First Responder Emergency Medical Services Inc..

***Use of Company Electronic Mail***

1. First Responder Emergency Medical Services Inc.'s email is intended to be used as a tool to facilitate communications on behalf of First Responder Emergency Medical Services Inc..
2. All email transmissions that originate from First Responder Emergency Medical Services Inc. staff members on Company email must contain, at a minimum, a signature section that contains the following information:
  - a. The sender's full name;
  - b. First Responder Emergency Medical Services Inc.'s name;
  - c. The telephone number of First Responder Emergency Medical Services Inc.; and

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- d. An approved notice and disclaimer.
3. Below the signature section, the following notice and disclaimer must appear on all transmissions from First Responder Emergency Medical Services Inc. staff members in at least 10 point font:

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail and telephone immediately and destroy all copies of the original message.

***Facsimile Transmissions Using Company Fax Machine***

1. First Responder Emergency Medical Services Inc.'s fax machine is intended to be used as a tool to facilitate communications and the exchange of information, including patient information that is needed to perform our services.
2. All outgoing facsimile transmissions using the Company fax machine must contain a cover sheet that includes at a minimum, the following information:
  - a. The name of First Responder Emergency Medical Services Inc.;
  - b. The name of the intended recipient;
  - c. The name of the sender;
  - d. Facsimile number of the recipient;
  - e. Telephone number of the sender;

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- f. Date of the transmission;
  - g. The number of pages in the transmission; and
  - h. An approved notice and disclaimer.
3. At the bottom of the facsimile cover sheet, the following notice and disclaimer must appear in at least 10 point font:

Confidentiality Notice: This facsimile transmission is confidential and is intended only for the review of the party to whom it is addressed. It may contain proprietary and/or privileged information protected by law. If you are not the intended recipient, you may not use, copy or distribute this facsimile message or its attachments. If you have received this transmission in error, please immediately telephone the sender above to arrange for its return.

***Images and Videos That May Contain PHI***

1. Staff members are strictly prohibited from capturing any images or videos that could potentially identify a patient PHI while on duty without the express permission of a supervisor. Staff members may carry a personal electronic device (such as a cell phone) that is capable of capturing images; but, staff members must adhere to our HIPAA Policies and Procedures when using the device and the device may never be used to capture PHI (unless expressly permitted by a supervisor). No other personal electronic devices that function as a camera and/or video recorder shall be carried by staff members while engaged in any work activities.
2. Staff members may only capture images or video while on-duty with a company-issued device and only for legitimate business-related purposes. Staff members must be authorized by First Responder Emergency Medical Services Inc. to capture images or video while on duty.

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3. Images or videos taken with Company Equipment may only be disseminated in accordance with First Responder Emergency Medical Services Inc.'s HIPAA Policies and Procedures and all such images and videos are the sole property of First Responder Emergency Medical Services Inc..
  
4. Any images or videos that might identify a patient may not be posted on the internet without the express approval of First Responder Emergency Medical Services Inc..

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