County of San Bernardino
Department of Behavioral Health

Electronic Transfer of Client Protected Health Information – Internet and Intranet Policy

Effective Date	7/03	
Revision Date	6/25/07	**Allan Rawland, Director**

Policy

It is the policy of the Department of Behavioral Health (DBH) to appropriately protect patient's protected health information (PHI), as required by HIPAA, when disclosing PHI electronically.

Purpose

To ensure that DBH staff take appropriate precautions when disclosing PHI electronically.

Definitions

Internet: a worldwide, publicly accessible network of interconnected computer networks that transmit data, which are insecure.

Intranet: A privately maintained computer network that can be accessed only by authorized persons, especially members or employees of the organization.

Chat/Instant Messenger: An application where the subscriber can direct text messages and/or file transfers while in interactive dialog with other user. Examples are AOL, Yahoo, MSN, and ICQ.

Peer-to-Peer: An application where a user allows other connected users to view and copy certain files. i.e. Napster and Bittorrant.

Internet usage

It is **prohibited** to electronically transfer client PHI by means of the Internet, chat or instant messenger, peer-to-peer file sharing, and any email outside of County email system. PHI may be transmitted via non-County network using an approved method of encryption.

Note: The Information Services Department (ISD) will determine what encryption methods are acceptable and provide information on the implementation and use of the approved methods.

Intranet usage

Electronic transfer of client PHI is permitted via the Intranet for business purposes such as treatment, payment or billing activities, and/or necessary business operations. The intranet includes County line websites and other DBH networks.

To ensure that the PHI is protected, when emailing, the sender should:

- Check the address carefully before transferring PHI.
- Label the message as "Confidential"
- Add the following footer:

  CONFIDENTIALITY NOTICE: This e-mail is intended only for the use of the individual or entity to which it is addressed and contains confidential information. You are hereby notified that any dissemination, distribution or copying of this information is strictly prohibited. If you have received this information in error, please notify the sender and delete it from your computer.

NOTE: Please refer to **HIPAA Violation Sanctions Policy** for ramifications for employees who violate this policy.