

**EMPLOYEE HEALTH BENEFIT PLAN:  
APPLICABILITY OF FEDERAL PRIVACY  
REGULATIONS PROCEDURE**

**PROCEDURE:**

The Privacy Official or Designee(s) will review all relevant aspects of BHHF's group health plan to determine the extent to which it is subject to federal privacy regulations, and the extent to which the exemptions apply. As necessary, the Privacy Official or Designee(s) will develop policies and procedures for the group health plan that comply with the applicable federal privacy regulations. These policies and procedures will conform, as much as possible, to other policies and procedures adopted by BHHF that relate to the privacy of protected health information.

The Manager of Employee Benefits or Plan Administrator will confer with the Privacy Official or Designee(s) prior to the implementation of any change in employee health benefits, to determine whether a change in policies, procedures or practices is warranted due to loss of the exemptions listed above. The Privacy Official or Designee(s) will make necessary changes to policies, procedures, practices and documents.

The Privacy Official or Designee(s) will document the initial determination of the applicability of the federal privacy regulations as follows:

1. Identification of which parts of the group health plan are exempt from certain federal privacy regulations.
2. Documentation why these parts of the group health plan are exempt.
3. The steps that have been taken to make all parts (exempt and non-exempt) of the group health plan compliant with federal privacy regulations.

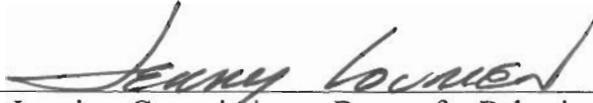
The Privacy Official or Designee(s) will similarly document any review of the impact of group health plan changes on how different parts of the group health plan must comply with federal privacy regulations.

The Privacy Official or Designee(s) will retain documentation of compliance with this policy for as long as it is applicable, plus six years or longer if required by state law or regulation.

**REFERENCE:** 45 CFR 164.530(k)

Effective Date: 4/14/03

Revised Dates:

A handwritten signature in black ink, appearing to read "Jerome E. Lovrien", is written over a light gray rectangular background.

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Jerome E. Lovrien, Commissioner, Bureau for Behavioral Health and Health Facilities