

**CREVE COEUR SCHOOL DISTRICT NO. 76
HEALTH BENEFIT PLAN**

**POLICIES AND PROCEDURES
FOR SEPARATION OF THE PLAN AND THE PLAN SPONSOR**

The Creve Coeur School District No. 76, as the Plan Sponsor and the Plan Administrator of the Health Plan Benefit Plan, on behalf of the Plan, hereby adopts the following Policies and Procedures, which shall be instituted and followed by the School District, both in its capacity as an employer and as the Plan Sponsor of the Plan, and by the Plan.

1. Defined Terms. The following terms shall have the meanings set forth below when used in this document:

“HIPAA” shall mean the Health Insurance Insurance Portability and Accountability Act of 1996, as amended.

“Plan” shall mean both the Creve Coeur School District 76 Health Benefit Plan.

“Plan Administration” activities shall mean activities that would meet the definition of payment (as defined in the Privacy Standards) or health care operations (as defined in the Privacy Standards), but do not include functions to modify, amend or terminate the Plan or solicit bids from prospective issuers. **“Plan Administration”** functions include quality assurance, claims processing, auditing, monitoring and management of carve-out plans, such as vision and dental. It does not include any employment-related functions or functions in connection with any other benefit or benefit plans.

“Plan Administrator” shall mean Creve Coeur School District No. 76.

“Plan Sponsor” shall mean Creve Coeur School District No. 76.

“Privacy Official” or **“Privacy Officer”** shall mean the Superintendent who has been designated as such by the Plan Administrator.

“Privacy Standards” shall mean the Standards for Privacy of Individually Identifiable Health Information enacted pursuant to HIPAA.

“Protected Health Information” or **“PHI”** shall mean individually identifiable health information, as more specifically defined in the Privacy Standards.

2. Compliance with Privacy Standards. The Plan and the Plan Sponsor at all times

shall comply with the Privacy Standards, and specifically, shall ensure that there exists adequate separation between the Plan and the Plan Sponsor, as required in 164.504(f)(2)(iii) of the Privacy Standards.

3. Persons with Access to PHI. The following employees, or classes of employee, or other persons under control of the Plan Sponsor, shall be given access to the PHI to be disclosed:

- Superintendent
- Administrative Staff member designated by the Superintendent
- Bookkeeper

The access to and use of PHI by the individuals described above shall be restricted to the Plan Administration activities that the Plan Sponsor performs for the Plan. Such persons at all times shall comply with the provisions of the Plan Document and Summary Plan Description relating to use and disclosure of PHI and with the Privacy Standards.

4. Firewalls. The plan Sponsor and the Plan shall review the following checklist and establish and maintain firewalls and restrictions on employee access to PHI, as set forth below:

- Review and limit access to PHI to those employees not described above.
- Locate PHI in a place and manner that eliminates unauthorized access.
- Mark PHI as “PHI” to the extent possible to lessen the likelihood of inadvertent review by unauthorized personnel.
- Password-protect access to PHI on computers to authorized personnel only. Prohibit computers to be left unattended with PHI on the screen and install automatic log off systems.
- Destroy or discard unneeded PHI in a manner that prohibits its review by unauthorized personnel.
- Move fax machines over which PHI is sent or received to a secure location.
- Train employees with employment related functions and plan related functions of their duty to not use PHI for employment related decisions.

5. Non-compliance by Persons with Access to PHI. In the event any of the individuals described in item 3 above do not comply with this Policy or related procedures, the person shall be subject to appropriate disciplinary measures, which may include an oral warning (first offense), a written warning (second offense), and suspension or termination of employment with the School District. A more severe sanction may be imposed if warranted by the nature of the violation. All sanctions imposed shall be documented in the employee’s personnel file and shall be maintained with the School District’s HIPAA compliance records.

6. Effective Date. This Policy shall be effective on April 14, 2004, and shall be thereafter implanted by the Privacy Officer. Accordingly, the School District, as the Plan Sponsor and the Plan Administrator, has executed this Policy as of the effective date set forth below.

Effective the 14th day of April, 2004.

Superintendent: _____

Attest:

Bookkeeper: _____

Adopted June 2004