

General Policy F.4

E-Mail

Catholic Charities has adopted this E-mail Policy to comply with HIPAA and with the draft regulations requirement to protect the security of electronic health information, as well as to fulfill our duty to protect the confidentiality and integrity of confidential medical information as required by law, professional ethics, and accreditation requirements. All personnel of Catholic Charities must be familiar with the policy and demonstrate competence in the requirements of the policy.

Assumptions

- The e-mail system is part of Catholic Charities business equipment.
- E-mail can be immediately broadcast worldwide and be received by many intended and unintended recipients.
- Recipients can forward e-mail messages to other recipients without the original sender's permission or knowledge.
- Users can easily incorrectly address an e-mail.
- E-mail is easier to falsify than handwritten or signed documents.
- Backup copies of e-mails may exist even after the sender or the recipient has deleted his or her copy.
- E-mail containing information pertaining to an individual's diagnosis and/or treatment constitutes a part of the consumer's medical records.
- All e-mail may be discoverable in litigation regardless of whether it is in an individual's records.

General Policy

Catholic Charities encourages the business use of e-mail to increase productivity. The e-mail system and all messages generated by or handled by e-mail, including back-up copies, are part of the business equipment of Catholic Charities are owned by the facility, and are not the property of the users of the system. Consequently, e-mail users *do not have a right to privacy in their use of the computer system or its e-mail component*. Catholic Charities reserves the right to monitor, audit, delete, and read e-mail messages. The network administrator may override user passwords. Although it is the policy of Catholic Charities not to regularly monitor the contents of e-mail communications, it may monitor the contents and usage to support operational, maintenance, auditing, security, and investigative activities. Users should use e-mail with the

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knowledge that Catholic Charities may from time to time examine the contents of e-mail communications. Catholic Charities cannot guarantee that e-mail messages will be private. E-mail communications can be forwarded, intercepted, printed, and stored by others. Use of the e-mail system constitutes consent to this policy.

Generally, e-mail users should restrict their use of the e-mail system to proper business purposes relating to the care and treatment of clients and related administrative matters, such as billing. A user may, however, use e-mail for personal purposes, such as communicating a change in work schedule to a significant other or family members, under the following conditions:

Personal use does not involve significant use of the facility's resources, such as work time, computer time, costs, and the like, and does not preempt any business activity or interfere with the user's or other's productivity.

Users must not transmit confidential or proprietary information to unauthorized recipients. Proprietary information is information that belongs to Catholic Charities.

User must not transmit obscene, offensive, harassing, or hostile messages to any recipient. No person shall enter, transmit, or maintain messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, sexual preference, or health condition. No person shall enter, maintain, or transmit any abusive, profane, or offensive language.

Transmission must not involve any illegal or unethical activity.

Transmission must not involve or disclose any activity that could adversely affect Catholic Charities its officers, employees, or agents.

Transmission does not involve solicitation. Employees may not use the facility's e-mail system to solicit for outside business ventures, organizational campaigns, political or religious causes.

The e-mail system must employ user-IDs and associated passwords to isolate the communications of different users. Users must never share passwords or reveal them to anyone else. If users must share data, they must use message-forwarding facilities, public directories on local area network servers, and other authorized information-sharing mechanisms. Employees may not intercept, or disclose or assist in intercepting and disclosing e-mail communications.

Because some information is intended for specific individuals and may not be appropriate for general distribution, users should exercise caution when forwarding messages. Users must not forward sensitive information, including client information, to any party outside the Catholic Charities system without the prior approval of the Program Director. Senders may not engage in blanket forwarding of messages to parties outside the Catholic Charities system unless the sender has obtained the prior permission of the department manager.

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Users should periodically purge, from their personal e-mail storage areas, messages that are not part of client records and that Catholic Charities no longer needs for business purposes. After a specified period, the information services staff will delete e-mail messages backed up to separate data storage media to free scarce storage space.

Catholic Charities will make all e-mail messages sent or received that concern the diagnosis or treatment of a client part of that client's medical record and will treat such e-mail messages with the same degree of confidentiality as other parts of the medical record. Program Directors will develop retention policies for other e-mail messages.

Consumers must consent to the use of e-mail for confidential medical information.

All e-mail's concerning consumer information will start with a confidentiality statement developed by the Director of Catholic Charities.

Users must immediately report violations of this policy to their Program Director and to the Director of Catholic Charities.

Enforcement

All supervisors are responsible for enforcing this policy. Employees who violate this policy are subject to discipline up to and including termination from employment, professional discipline, or criminal prosecution, in accordance with the facility's Sanction Policy.