



University Community (faculty, staff and students)

SUBJECT (R*)	EFFECTIVE DATE (R*)	POLICY NUMBER (O*)
HIPAA: SANCTIONS FOR UNAUTHORIZED USES OR DISCLOSURES OF PROTECTED HEALTH INFORMATION	December 31, 2017	1610.015

POLICY STATEMENT (R*)

Florida International University will take appropriate disciplinary action against any member of its Workforce (faculty, staff, students, agents and volunteers) who violates the University’s privacy policies and procedures or any applicable state or federal law or regulation governing the confidentiality of medical records and health information including, without limitation, “HIPAA”. Disciplinary action to be taken as it relates to any faculty or staff shall be in accordance with the applicable University collective bargaining agreement, if any, and human resources or other relevant policies. Disciplinary action to be taken as it relates to students shall be in accordance with the applicable student disciplinary process.

REASON FOR POLICY (O*)

To ensure that members of the Florida International University Workforce understand the critical significance of compliance with the University’s privacy policies and procedures in general, and HIPAA policies and procedures, in particular, and to provide notice to the University Workforce that violation of privacy policies and procedures may result in disciplinary action which may include, without limitation, termination of employment.

RELATED INFORMATION (O*)

HIPAA Privacy Rule, 45 C.F.R. § 164.514 (f)

- PROCEDURES (O*)**
1. Violation of Florida International University privacy policies and procedures. Failure to comply with the University’s privacy policies or procedures will result in disciplinary action against the individual committing the violation.
 - a. Florida International University privacy policies and procedures will be enforced consistently across the organization.
 - b. Sanctions that are imposed as a result of a violation of a privacy policy or procedure will be imposed consistently across the organization.
 - c. The following types of conduct on the part of a member of the FIU Workforce are grounds for disciplinary action against the individual engaging in the conduct:
 1. Failing to abide by the University’s HIPAA Policies and Procedures;
 2. Failing to attend required HIPAA education and training as a Workforce Member, or as a supervisor, failing to ensure that all employees under his/her supervision receive the required education and training;
 3. Accessing a patient’s PHI out of curiosity or for any reason other than to fulfill assigned duties.

HISTORY (R*)

Effective Date: September 1, 2009; Revision Date(s): June 8, 2015, December 31, 2017

RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT (R*)

Division of Academic Affairs

RESPONSIBLE ADMINISTRATIVE OVERSIGHT (R*)

University Compliance and Privacy Officer
 11200 SW 8TH STREET
 PC 429
 MIAMI, FL 33199
 TELEPHONE NUMBER: (305)348-2216

The University Policies and Procedures Library is updated regularly. In order to ensure a printed copy of this document is current, please access it online at <http://policies.fiu.edu/>.

For any questions or comments, the "Document Details" view for this policy online provides complete contact information.

FORMS/ONLINE PROCESSES (O*)

Links to the above referenced Form(s) available in the "Document Details" Section of the online version of this policy document.

***R = Required *O = Optional**