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| Policies and Procedures |
| POLICY: ILHIE Authority Privacy and Security Governance |
| Policy #2 |
| Effective Date: April 2, 2014 |

Purpose: This policy defines the ILHIE Authority's privacy and security governance processes.

The Illinois Health Information Exchange and Technology Act (20 ILCS 3860/20) delegates the following powers and responsibilities, among others, to the ILHIE Authority regarding the protection of the privacy and security of Protected Health Information:

- (i) "The Authority shall establish and adopt standards and requirements for the use of health information and the requirements for participation in the ILHIE;
- (ii) The Authority shall establish minimum standards for accessing the ILHIE to ensure that the appropriate security and privacy protections apply to health information;
- (iii) The Authority shall have the power to suspend, limit, or terminate the right to participate in the ILHIE for non-compliance or failure to act, with respect to applicable standards and laws, in the best interests of patients, users of the ILHIE, or the public; and
- (iv) The Authority may seek all remedies allowed by law to address any violation of the terms of participation in the ILHIE."

Policy:

1.0 ILHIE Authority Board. The ILHIE Authority Board shall review the ILHIE Authority Data Security and Privacy Committee recommendations regarding these Policies and Procedures.

1.1 Amendments to the Policies and Procedures shall be effective when adopted by the ILHIE Authority Board, ordinarily following input from the ILHIE Authority Data Security and Privacy Committee. Participant shall comply with amendment(s) no less than 30 days of the effective date unless otherwise specified.

1.2 The ILHIE Authority shall notify Participants of all changes to these Policies and Procedures electronically by notice posted on the ILHIE website and other means deemed appropriate by the ILHIE Authority Board.

2.0 ILHIE Data Security and Privacy Committee. The ILHIE Authority Data Security and Privacy Committee of the ILHIE Authority Board was created by ILHIE Authority Board Resolution No. 2011-12. The Committee is charged with reviewing and recommending policies to the ILHIE Authority Board with regard to the use and protection of health information created, received, maintained or transmitted by the ILHIE.

2.1 The ILHIE Authority Data Security and Privacy Committee shall review and recommend, at a minimum annually, the creation, modification or amendment

of the Policies and Procedures in response to changes in Applicable Law, changes in technology and standards, changes in available compliance mechanisms, other factors affecting the governance and operation of the ILHIE, in response to identified Breaches, and other appropriate reasons. (See also ILHIE Authority Board Resolution No. 2014-04).

3.0 ILHIE Authority Privacy and Compliance Officer. The ILHIE Authority shall appoint one or more individuals who will be responsible for the development and implementation of privacy and security policies and procedures.

3.0 Compliance. Participant shall comply with these Policies and Procedures. The ILHIE Authority will monitor and enforce compliance with and adherence to these Policies and Procedures.

3.1 Participant shall cooperate with the ILHIE Authority in its monitoring and enforcement of the Participant's compliance with these Policies and Procedures.

4.0 Conflict. If there is conflict between these Policies and Procedures and the terms of the Data Sharing Agreement, the Policies and Procedures shall control.

Associated Policies and References

Illinois Health Information Exchange and Technology Act, 20 ILCS 3860

ILHIE Authority Resolution 2011-12

Data Sharing Agreement

Enforcement

Sanctions

Definitions

Applicable Law

Breach

Participant

Protected Health Information