

LNRA BOARD POLICY
205 – MEDICAL INFORMATION CONFIDENTIALITY

205.10 PURPOSE

LNRA strives to protect the privacy of its employees' medical information. To accomplish this, LNRA and its managers and employees are required to follow this policy regarding confidentiality of medical information.

205.20 POLICY

205.201 MEDICAL INFORMATION

All medical information concerning employees will be maintained in separate, confidential files that are stored apart from regular personnel records. Only the Human Resource Manager and Central Records Coordinator will have access to such files, and access will be provided solely on a need-to-know basis. Any access to employee medical information shall be granted only in accordance with applicable law, which includes (but is not limited to) the Americans with Disabilities Act, the Occupational Safety and Health Act, the Family and Medical Leave Act, the Federal Rehabilitation Act, state workers' compensation law and state privacy laws.

205.202 EMPLOYEE NOTIFICATION

Employees are hereby notified that medical information concerning employees is confidential under state and federal laws and may not be discussed at any time with any person under any circumstances. Exceptions are if an employee needs to discuss medical information in order to carry out his or her job duties or if the person discussing the medical information is talking with the subject of the medical information at that person's invitation. If an employee is concerned about a co-worker's possible medical condition, the employee should direct these concerns only to the Human Resource Manager and to no one else.

205.203 POLICY VIOLATIONS

Any employee who is found to have discussed medical information about another employee in violation of this policy, or who is found to have released such information without authorization, will be subject to disciplinary action, including immediate termination from employment. In addition, employees who violate medical information confidentiality may be subject to civil and criminal liability under state and federal laws.

205.204 ACCESS

All access to medical records must be approved by the Human Resource Manager. If an employee believes that this policy has been violated, he or she should contact the Human

Resource Manager. If it is believed that the Human Resource Manager has violated this policy, the employee should contact the General Manager.

205.205 SUBPOENAS AND COURT ORDERS

Except as provided in this policy, medical records will not be provided to third parties, except when LNRA is properly served with a valid subpoena or court order requiring disclosure or production. When possible, LNRA will notify the employee of the proper service of a subpoena or court order upon it, in order to enable the employee an opportunity to seek to quash the subpoena or appeal the court order. Medical records may also be provided to an attorney representing LNRA for purposes of providing legal advice and/or representation to LNRA.

205.206 REVIEW

LNRA will review this policy periodically to ensure compliance with state and federal laws.

205.30 RESPONSIBILITIES

205.301 GENERAL MANAGER

The General Manager shall ensure that the provisions of this policy are followed.

205.302 HUMAN RESOURCES

LNRA's Human Resource Manager shall be responsible for the administration and coordination of this policy.

Effective: Amended October 17, 2007, revised April 19, 2017