

HIPAA PRIVACY OFFICER

Nature of Work: Under administrative direction, performs complex administrative and regulatory work overseeing all ongoing activities related to the development, implementation, maintenance of, and adherence to the department's policies and procedures covering the privacy of, and access to, protected health information in compliance with federal and state laws and the department's information privacy practices. Reports directly to the Cabinet Secretary. Member of the department's management team. Reports on the Health Insurance Portability and Accountability Act (HIPAA) Privacy Program to the Chief Privacy Officer. Performs related work as required.

Examples of Work

Directs the Department's HIPAA Privacy Program; periodically reports on the status of the program to the Chief Privacy Officer (CPO) and the Cabinet Secretary.

Determines staffing needs for Privacy Coordinator positions throughout the department to assist in the administering of the Privacy Program; develops and maintains the department's privacy infrastructure.

Monitors federal and state privacy laws, regulations and court decisions to ensure department privacy compliance; revises policies and procedures based upon changes in laws, in consultation with the Chief Privacy Officer and counsel.

Implements and maintains HIPAA privacy policies and procedures, including the use and disclosure of protected health information (PHI), the minimum necessary rule such that only the minimum amount of PHI necessary for the intended purpose is used or disclosed, workforce policies including sanctions, patients' rights, legal and organizational requirements including the privacy notice and authorization, and the state law preemption analysis.

Conduct educational and training programs on HIPAA privacy, including material changes in law, for all members of the workforce.

Negotiates and executes the department's Business Associate Agreements.

Manages and reports on the department's privacy complaint process.

Participates on the Chief Privacy Officer's management team by developing the Executive Branch HIPAA privacy audit and compliance programs, and cooperating and directing staff participation in the internal HIPAA privacy audit and compliance programs.

HIPAA PRIVACY OFFICER (CONT'D)**Examples of Work (Cont'd)**

- Cooperates with the Office of Civil Rights, the Chief Privacy Officer, and counsel in any appropriate privacy program investigations.
- Monitors the published State preemption analysis reflecting changes in State law. Refers any requested updates to the Chief Privacy Officer or his/her designee.
- Coordinates with the department Security Officer and other health information management and information technology professionals to ensure alignment between security and privacy practices; requires the department Security Officer to certify as to appropriate security of PHI, to ensure that department HIPAA privacy requirements are fulfilled.
- Provides leadership and strategic guidance in the planning, design and evaluation of department privacy projects.

Knowledge, Skills and Abilities

- Knowledge of the Health Insurance Portability and Accountability Act (HIPAA).
- Knowledge of the theories, principles, and techniques of the area of assignment.
- Knowledge of information privacy laws, access, and release of information.
- Knowledge of information technology issues.
- Skilled in organizing, facilitating, communicating, and presenting.
- Ability to plan, direct, and coordinate the privacy program and the administrative activities of the unit.
- Ability to communicate effectively, both orally and in writing.
- Ability to establish and maintain effective working relationships with employees, other government officials, and the public.
- Ability to supervise others.

Minimum Qualifications

Training: Bachelor's degree from an accredited college or university with a major in the area of assignment.

Experience: Four years of full-time or equivalent part-time paid professional experience in the area of assignment, two years of which must have been in a program administration capacity.

Substitution: Master's degree in public health administration, public administration, information technology, or in the area of assignment, and six months HIPAA program administration experience.

OR

Admission to practice law in the State of West Virginia and one year of HIPAA program administration experience.

HIPAA PRIVACY OFFICER (CONT'D)

AREAS OF ASSIGNMENT

Corrections

Criminal Justice

Disability Evaluation Programs

Emergency Medical Services

Gerontology

Health

Health Facilities Licensure and Certification

Health Plan/Health Insurance Administration

Health Planning

Hospital or Other Health Care Administration

Health Promotion

Industrial Relations

Information Technology

Labor

Legal

Military Affairs

Privacy Program (HIPAA Compliance)

Rural Aging

Senior Program Administration

Social Services

Vocational Rehabilitation

Established: 3/20/03

Revised: 8/8/03

Effective: 8/8/03