

REFERENCE ID NUMBER: 007	POLICY TYPE: IT INFORMATION SECURITY MANAGEMENT
OWNER: CHAD PETERSON	DOCUMENT NAME: ENFORCEMENT
EFFECTIVE DATE: 2/26/16	
REVISION DATE: 7/28/16	

ENFORCEMENT

The Koble-MN HIO CEO has the authority to suspend or terminate the access of any participant or authorized user in Koble-MN Health Information Organization under the following conditions:

EMERGENCY SUSPENSION

If the Vendor discovers a breach or suspicious transactions and considers it necessary to take immediate action, it may suspend access to the Koble-MN HIO immediately. The Vendor shall notify the Koble-MN HIO of the action, reason for its action, and collaborate with the Koble-MN HIO CEO to address the situation.

AUTHORIZED USER SUSPENSION OR TERMINATION

Upon the Koble-MN HIO CEO, or designee, completing a preliminary investigation and the Koble-MN HIO CEO determining that there is a substantial likelihood that an Authorized User's acts or omissions create an immediate threat or will cause irreparable harm to another party, including, but not limited to, a Participant, an Authorized User, the Koble-MN HIO, Vendor, or an Individual whose health information is exchanged through the Koble-MN HIO; the Koble-MN HIO CEO, or designee, may suspend to the extent necessary to address the threat, the Authorized User's Koble-MN access.

A Participant may suspend, limit, or revoke the access authority of its Authorized User on its own initiative upon a determination that the Authorized User has not complied with the Participant's privacy or security policies, the Koble-MN HIO policies, or the terms of the user agreement, if it is determined by the Participant to be necessary to protect the privacy of Individuals or the security of the system. The Participant must immediately notify the Koble-MN HIO CEO, or designee, of any action limiting access of an Authorized User.

The Participant responsible for the Authorized User shall take necessary steps to resolve the problems. Once resolved, the Participant shall notify the Koble-MN HIO CEO, or designee, and may request reinstatement of the Authorized User access.

The Participant must immediately notify the Koble-MN HIO CEO, or designee, of any change to an Authorized User's job responsibilities or a change of employment status or provider staff privileges, including every change in an Authorized User's access whether it opens, expands, restricts, or terminates the Authorized User's access to the Koble-MN HIO.

PARTICIPANT SUSPENSION PROCESS

The Koble-MN HIO CEO, or designee, shall immediately but within twelve hours of suspending a Participant's access provide notice of the suspension to all Participants and provide a written summary of the reasons for the suspension to the suspended Participant. The Participant shall use reasonable efforts to respond to the suspension notice with a detailed plan of correction or an objection to the suspension within three business days or, if such a submission is not reasonably feasible within three business days, then at the earliest practicable time.

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Within five business days after submission of the Participants plan of correction, the Koble-MN HIO CEO, in collaboration with Vendor shall review and either accept or reject the plan of correction. If the plan of correction is accepted, the Koble-MN HIO CEO will, upon completion of the plan of correction, reinstate the Participant’s access and provide notice to all Participants of the reinstatement. If the plan of correction is rejected, the Participant’s suspension will continue, during which time the Koble-MN HIO CEO, Vendor, and the Participant shall work in good faith to develop a plan of correction that is acceptable to all. If agreement cannot be reached, either party may appeal the dispute to the Koble-MN HIO Advisory Committee.

APPEAL PROCESS

A Participant may appeal, in writing, the Koble-MN HIO CEO’s decision to suspend or terminate its participation in the Koble-MN HIO to the Advisory Committee. The Committee shall review the written material from the Participant, Vendor, Koble-MN HIO CEO, or any affected party. The Committee may hold a meeting with the parties to gather additional information. The Committee shall issue a final determination, in writing, and the decision shall be provided to all Participants.

TERMINATION OF PARTICIPATION AGREEMENT

Upon any termination of the Participation Agreement the terminated party shall cease to be a Participant and neither it nor its Authorized Users shall have any rights to use the Koble-MN HIO (unless the Authorized Users have an independent right to access the Koble-MN HIO through another Participant). The Koble-MN HIO CEO, or designee, shall immediately but within twelve hours of termination of a Participation Agreement provide notice of the termination to all Participants.

DISPOSITION OF HEALTH INFORMATION UPON TERMINATION

At the time of termination, another Participant that received health information, may, at its election, retain the information in accordance with its document and data retention policies and procedures, applicable law, and the terms and conditions of the Participation Agreement and these policies.

The Koble-MN HIO shall retain an audit trail for a terminated Participant for at least six years.

Upon termination Koble-MN HIO may no longer access or transmit any health information to and from the terminated Participant.

Except as retained by other Participants, Vendor must delete or destroy any health information of the terminated Participant and certify the destruction to the Koble-MN HIO CEO and Participants.

GOVERNING LAW

In the event of a dispute between or among the parties to the KOBLE-MN HIO, the laws of the State of Minnesota will govern. Any action to enforce a Participation Agreement or participation in the Koble-MN HIO must be adjudicated exclusively in the state of Minnesota.

PARTICIPANT POLICIES/REMOTE ACCESS

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Each Participant shall establish and enforce policies and procedures regarding Authorized User access to Patient Data (including Remote Access), the conditions that must be met and documentation that must be obtained prior to allowing an Authorized User access to Patient Data.

Policies shall include procedures for taking disciplinary actions for its Authorized Users or members of its workforce in the event of a breach or non-compliance with the Koble-MN HIO policies.

REVISION HISTORY

DATE	DESCRIPTION OF REVISION	AUTHOR	APPROVAL DATE	APPROVED BY NAME & TITLE
7/28/16	Full review of Policy-See Advisory Committee Notes dated 7/28/16	Laurie Peters	7/28/16	Koble-MN Advisory Committee

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