
State of Oregon

Department of Human Services

Privacy Review Committee

Charter

Presented by:

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DHS Privacy Program Office

PURPOSE: The purpose of this Charter is to define the business need, authority, conduct of operations, responsibilities, and membership for the Privacy Review Committee.

BUSINESS NEED: The Department of Human Services maintains a statewide staff of nearly ten thousand (10,000). The majority of these staff members work with highly sensitive, confidential client or participant information in their daily activities.

In response to the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule, the Department established nine new Privacy Policies. These Policies create another level of privacy (confidentiality) in addition to other long-standing state and federal regulations. The Policies increase client and participant rights, as well as increase DHS staff responsibilities, in the area of privacy and confidentiality of client and participant records.

The Privacy Review Committee ensures that DHS client and participant rights are enforced, and supports DHS staff in successfully implementing policies that protect client and participant privacy.

COMMITTEE FUNCTIONS:

- Provide direct support to the DHS Privacy Program.
- Provide ongoing Privacy Program oversight and recommend changes for improvement.
- Support DHS staff in successfully implementing policies and procedures that protect client/participant privacy.
- Validate results of privacy investigations.

- Review implementation of the privacy policies and procedures, and identify/design systems to resolve implementation issues. This may include initiating an audit, and/or reviewing the results of an assessment audit, and identifying and overseeing needed changes.
- Implement periodic reviews, and recommend modifications to privacy policies and procedures, and privacy forms.
- Implement periodic reviews of administrative, technical, and physical safeguard tools. Recommend revisions to tools as needed.
- Provide training and mentoring to other DHS staff to prepare them to serve as future knowledgeable, effective Privacy Review Committee members.

REPORTING STRUCTURE: The Privacy Review Committee reports to the Information Security Officer. Issues requiring decisions at a higher level are reviewed by the Chief Administrative Officer and presented to the DHS Cabinet, if deemed necessary.

MEMBERSHIP: Privacy Review Committee members represent a cross-section of the Department of Human Services. Membership consists of one to three representatives from each DHS Cluster, one from State Hospitals, one from Public Health, one from Human Resources, and one from Governor's Advocacy Office. An Assistant Attorney General serves as legal counsel, with additional *ad hoc* representatives from Internal Audit, Facilities, and Finance. The DHS Privacy Officer chairs the Committee. Subject Matter Experts may be called upon, as needed, to provide guidance in resolving an issue, but will not have decision-making authority.

PROTOCOLS:

1. The Committee is scheduled to meet monthly for two hours.
2. Committee Members are advised of the sensitive, confidential nature of the Committee functions at the opening of every meeting.
3. All Committee meetings are documented, and meeting minutes distributed to Committee Members and the Information Security Officer.
4. Individually identifiable health information is not recorded in meeting documentation.
5. Committee Members bringing an issue or concern to the Committee for resolution are identified as “Presenters”, and, if there is a conflict of interest, do not participate in the decision making process on their specific issue.
6. The Department-wide grievance or appeals process is followed for client privacy issues or complaints that are submitted as a formal grievance or appeal.

The Assistant Attorney General serving as legal counsel is involved in recommendations regarding adherence to the federal Privacy Rule and to DHS privacy policies, and in maintaining legal sufficiency of privacy forms.

REVISION: This charter will be reviewed and revised yearly or as deemed necessary by the Privacy Officer, Privacy Review Committee, or Information Security Officer.