

TRUMBULL PUBLIC SCHOOLS
BOARD OF EDUCATION
POLICY MANUAL

SECTION: **5000**
CATEGORY: **Students**
POLICY CODE: **5125.11/Health/Medical
Records**

HEALTH/MEDICAL RECORDS

Policy Statement

When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits, or sends. The Board of Education designates the Assistant Superintendent of Schools as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful use and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff who wrongfully use or disclose protected health information.

Adopted: 3/28/2017

References

- The Federal Family Educational Rights and Privacy Act of 1974 (FERPA)
- The Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- 34 C.F.R. 99 *et seq.*
- USA Patriot Act of 2001, Public Law 107-56
- The No Child Left Behind Act of 2001, Public Law 107-110

- Connecticut General Statutes §§ 1-210(b)(11), 10-15b, 10-154a, 10-209, 46b-56(e)

- Trumbull Board of Education Policy Code 3310: Third Party Billing
- Trumbull Board of Education Policy Code 5125: Confidentiality and Maintenance of Student Records