

SCRIPPS ACCOUNTABLE CARE ORGANIZATION, LLC	POLICY DATE August 26, 2020	SUPERSEDES POLICY DATED N/A
	APPROVED BY Scripps Accountable Care Organization, LLC Management Board	
POLICY NAME: Protected Health Information and Related Reporting Requirements		

I. POLICY

Scripps Health, the parent organization of the Scripps Accountable Care Organization, LLC, (the “Scripps ACO”) has entered into a Business Associate Agreement (“BAA”) with a number of Scripps ACO “Community Connect Practices” through which Scripps Health serves as a business associate to those Community Connect Practices and obligates itself to, among other things, adhere to certain reporting requirements in Scripps Health’s maintenance and handling of a Community Connect Practice’s Protected Health Information (“PHI”). This policy will serve to amend the reporting requirements of Scripps Health as stated in those BAAs.

II. UPDATE TO BAAs

Effective as of the date of this policy, Scripps Health shall notify the applicable Community Connect Practice within fifteen (15) business days of any suspected or actual breach of Protected Information (as such term is defined in the BAA); any use or disclosure of Protected Information not permitted by the Contract or Addendum (as such terms are defined in the BAA); or any actual or suspected use or disclosure of data in violation of any applicable federal or state laws by Scripps Health or its agents or subcontractors. Scripps Health shall effectuate such notification by contacting the applicable Community Connect Practice at the contact phone number listed in the BAA, as well as by written notice to the Community Connect Practice sent to the address listed in the BAA. The notification shall include, to the extent possible, the identification of each individual whose unsecured Protected Information has been, or is reasonably believed by Scripps Health to have been, accessed, acquired, used, or disclosed, as well as any other available information that the Community Connect Provider is required to include in notification to the individual, the media, the Secretary,

and any other entity under the Breach Notification Rule and any other applicable state or federal laws, including, but not limited, to 45 C.F.R. Section 164.404 through 45 C.F.R. Section 164.408, at the time of the notification required by this policy and the BAA or as promptly thereafter as information becomes available. Scripps Health will mitigate any harmful effect that is known to Scripps Health of a use or disclosure of PHI or unsecured PHI by Scripps Health in violation of the requirements of the BAA. These obligations also shall apply to PHI that is in the possession of Scripps Health's subcontractors or agents.