

# Maine Medical Center - MaineHealth Privacy and Confidentiality Policy Confidentiality Agreement

This **Confidentiality Agreement** applies to MaineHealth member organization's employees, members of the Medical Staff, house staff, clinical affiliates, adjunct professional nurses appointed by the Department of Nursing, individuals authorized by the Chief Information Officer/VP Information Services or designee, and others with business or patient care purposes at MaineHealth Member Organizations, *hereinafter referred to as "users"*, who may have direct access<sup>1</sup> to patient, business, proprietary, trade secret, financial, human resource or other confidential communications, data and information systems of MaineHealth member organizations to perform their work-related obligations.

Users shall maintain the confidentiality, security and integrity of all such communications, whether verbal, written, or electronic data and information systems, including without limitation any data printed, photocopied or downloaded to any hard drive, diskette, tape or other storage media.

## I. General Confidentiality Principles.

### *User understands and agrees:*

- The performance of my job or duties may require me to become aware of confidential information, which shall remain confidential. Confidential information includes:
  - Any patient information, including health care and financial information
  - Employee personnel, compensation and health care information
  - Business information relating to financial, administrative, and other information
- Approval to access confidential information is a privilege that may be granted to me based only on the responsibilities of my job or duties and that meets the need-to-know criteria for such access
- The importance and obligations of patient confidentiality include:
  - Never discussing a patient's case or presence outside of work, either with the patient, or with family or friends.
  - Never sharing password or system access codes.
  - Disposing of confidential information using the confidential destruction system.

## II. Network and Software Application Passwords.

### *User understands and agrees:*

- All network and software application passwords are confidential and shall not be disclosed to any third party including other authorized users of MaineHealth member organization's information systems.
- MaineHealth member organization's shall provide user with the network and software application passwords necessary to gain access to MaineHealth member organization's computer network and certain system and software applications as may be modified by MaineHealth member organization's from time to time.
- Access to MaineHealth member organization's computer network and software applications may include, without limitation, on-site access at MaineHealth member organization's facilities' dial-in or other remote access and access through dedicated communications lines.
- Network and software application passwords shall expire on a periodic basis and, upon the request of MaineHealth member organizations, user shall be responsible for providing new, confidential passwords to continue access to MaineHealth member organization's computer network and its software applications. Such passwords shall meet standards for length and content as may be modified by MaineHealth member organizations from time to time.
- In the event that user reasonably suspects or becomes aware of any unauthorized use or disclosure of user's network and software application passwords or other confidential user identification, user immediately shall change such password or other user identification, and immediately shall report such unauthorized use or disclosure to MaineHealth member organization's Chief Information Officer/VP Information Services or designee.
- MaineHealth member organizations shall have the right to suspend or revoke user's network and software application passwords without notice in the event of any breach or suspected breach of confidentiality.

<sup>1</sup> Direct access includes access to any MaineHealth member organization's electronic system while onsite or remote.

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**Confidentiality Agreement continued**

**III. Access to Electronic Medical Records, Related Clinical Databases and Systems.**

*User understands and agrees:*

- To be accountable for all entries of patient information, orders and data entered by user into MaineHealth member organization's information systems under user's network and software application password and electronic signature as applicable.
- To access patient information and/or records only for the following purposes in accordance with applicable state and federal laws and regulations: (i) providing health care to the patient or coordinating such care with other health care providers; (ii) billing and filing claims for reimbursement for care delivered to the patient; (iii) conducting scientific or statistical research, management or financial audits; (iv) conducting quality assurance, utilization review or peer review activities; (v) for remediation of network and software application malfunctions; and (vi) for database administrators requirements involving verification and other operational purposes.
- To not disclose or re-disclose any patient information and/or records to any other entity or individual without the prior written authorization of the patient or the patient's authorized representative.
- To take appropriate security measures to prevent the unauthorized use of MaineHealth member organization's information systems, software applications, network and data to which user has access.

**IV. Access to Electronic Mail System and the Internet.**

*User understands and agrees:*

- To access MaineHealth member organization's E-mail System and/or Internet Service Provider only for permitted business purposes and to use email and internet in accordance with MaineHealth member organization's applicable policies and agreements.

**V. Audits of Information Systems, Software Applications, Network and Data.**

*User understands and agrees:*

- MaineHealth member organization's may conduct unannounced audits of user's access to its information systems, software applications, network and data on a periodic basis to monitor appropriate use of and compliance with the obligations stated above.
- Any violation of patient confidentiality and/or unauthorized disclosure of proprietary information may result in disciplinary action, suspension or termination of privileges at MaineHealth member organizations, their affiliates, and may include termination of the business relationship with MaineHealth member organizations, and user also may be subject to legal action.

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Signature

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Printed Name

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Date