

DISCIPLINARY POLICY

I. A Policy Statement

It is the policy of this pharmacy to operate in compliance with HIPAA at all times. The total effect of the HIPAA regulations makes us the guardians of our patient's PHI. As guardians, it is our individual and collective duty to protect their PHI from unauthorized use, disclosure, access, alteration, and destruction.

Any act or omission by any employee that results in a violation of our policy will be subject to disciplinary action as determined by the Privacy/Security Official. Depending on the circumstances of the violation, disciplinary actions will include oral warning and retraining, written warning and probation, and termination of employment, as well as potential civil, criminal, and licensure proceedings.

Management reserves the right in its discretion to terminate any employee of this pharmacy without the preliminary disciplinary actions described above.

II. A Tiered Disciplinary Process

First Level: Where the violation was unintentional and resulted in no harm to any patient's PHI, such as an incidental disclosure where the employee may have been overheard by an authorized person, a written warning with a copy for the employee's personnel file plus individual counseling, the letter to be removed from the file if no repetition of the same violation and no other violations in six months;

Second Level: Where the violation indicates negligence on the part of the employee, such as an unauthorized disclosure of a patient's PHI to an employee of another covered entity which resulted in no harm to the Patient's PHI, a written warning, individual counseling and a period of probation for as long a period as the Privacy/Security Official determines to be appropriate.

Third Level: Where an employee's job performance indicates to the Privacy/Security Official an inability or unwillingness to perform the duties of the employee's job in a manner consistent with HIPAA, the employee will be terminated.

Fourth Level: The Privacy/Security Official will immediately upon the termination of an employee make such password and other PHI access changes, including changing locks as needed, so as to bar the terminated employee to any access to the pharmacy's PHI.