

The School Board of Gadsden County

Bylaws & Policies

Unless a specific policy has been amended and the date of the policy was revised is noted at the bottom of that policy, the bylaws and policies of The School Board of Gadsden County were adopted on June 25, 2013, and were in effect beginning June 26, 2013.

1419.02 - PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

The School Board provides coverage to eligible employees under fully insured group health plans. The Board has established the following fully insured group health plans:

- A. Group Health Plan
- B. Dental Plan

The Board acknowledges that these group health plans are required to comply with the HIPAA Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The fully insured group health plans established by the Board shall:

- A. refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful;
- B. not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits;
- C. if the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

- A. summary health information;
Summary health information is de-identified information that summarized claims history, claims expenses, or type of claims experienced by health plan participants.
- B. information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.

F.S. 1002.02
20 U.S.C. 1232g
42 U.S.C. 1320d-2
Health Insurance Portability and Accountability Act (HIPAA)
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635

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