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SECTION: HIPAA

AREA: HIPAA PRIVACY/SECURITY POLICIES

SUBJECT: CONFIDENTIAL SHRED BIN USAGE

PURPOSE

To inform University of Arkansas for Medical Sciences (“UAMS”) departments and staff of the proper procedures associated with the use of the confidential paper Shred Bins on campus.

SCOPE

The UAMS Workforce.

DEFINITIONS

Confidential Information includes information concerning UAMS research projects, confidential employee information, information concerning the UAMS research programs, proprietary information of UAMS, and sign-on and password codes for access to UAMS computer systems. Confidential Information shall include Protected Health Information.

NFPA 101 Life-Safety Code means the National Fire Prevention Associations codes, which establishes minimum requirements for new and existing buildings to protect building occupants from fire, smoke, and toxic fumes.

Protected Health Information (“PHI”) means information that is part of an individual’s health information that identifies the individual or there is a reasonable basis to believe the information could be used to identify the individual, including demographic information, and that (i) relates to the past, present, or future physical or mental health or condition of the individual; (ii) relates to the provision of health care services to the individual; or (iii) relates to the past, present, or future payment for the provision of health care services to an individual. This includes PHI which is recorded or transmitted in any form or medium (verbally, or in writing, or electronically). PHI excludes health information maintained in educational records covered by the federal Family Education Rights Privacy Act and health information about UAMS employees maintained by UAMS in its role as an employer.

Shred Bin means for the purposes of this policy, the containers utilized on campus for the placement of documents containing PHI and Confidential Information requiring secure shredding and destruction. Any document placed in a Shred Bin is to be considered destroyed and non-retrievable.

UAMS Workforce means for the purpose of this Policy, physicians, employees, volunteers, trainees, and other persons whose conduct, in their performance of work for UAMS, is under the direct control of UAMS, whether or not they are paid by UAMS.

Vendor means for the purposes of this policy, the third party contracted to provide the services (i.e., emptying) of the Shred Bins, the destruction of the contents of the Shred Bins, and documentation of the destruction of the contents.

Go to the UAMS HIPAA Office website at hipaa.uams.edu to access any other terms or definitions referenced in this policy.

POLICY

Media with PHI and Confidential Information in hardcopy form received, created, maintained, and transmitted by UAMS Workforce, such as paper containing PHI, must be protected against theft and unauthorized access. PHI and Confidential Information must be consistently protected and managed through its entire life cycle, from origin to destruction. Controls must be in place for the proper disposal and destruction of PHI and Confidential Information in paper or other hardcopy form.

PROCEDURE

The paper Shred Bins are for the secure destruction of PHI and Confidential Information. Once a document is placed in a Shred Bin, it is intended for secure destruction.

1. Usage of Shred Bins

- A. The Shred Bins are to be used for the secure destruction of PHI and UAMS Confidential Information only.
- B. The Shred Bins are not to be used for non-confidential documents. The Shred Bins are not to be utilized for the destruction of personal (i.e., non-UAMS) information.
- C. Containers used for the temporary placement of PHI and UAMS Confidential Information prior to placement in a locked Shred Bin:
 1. Must be clearly labeled in two places with the advertisement **“Contains Confidential Information--Not for regular trash or recycling”**;
 2. Must be emptied at least daily;
 3. Must not be lined with a trash bag; and
 4. Must be located in a secure area (e.g., not accessible to patients and visitors).
- D. The Shred Bins are not to be utilized for general recycling of non-PHI and non-confidential documents, journals, magazines, junk mail, cardboard, phone books, or any other type of non-confidential material. Other processes are available for recycling of non-confidential information.

2. Locations of Shred Bins on the UAMS Campus

- A. Shred Bins are located throughout the campus in areas with PHI and Confidential

Information.

- B. Areas designated as either “Healthcare” or “Ambulatory Care” occupancies, as defined by NFPA 101 Life-Safety code and The Joint Commission, will not have Shred Bins that exceed 32-gallons and only one 32-gallon Shred Bin can be within a 64 square-foot area within these occupancies, or that otherwise comply with current requirements under the NFPA 101 Life-Safety Code and/or The Joint Commission standards. The 64 square-foot area will be determined by an equal number of feet from the center of the Shred Bin at each exposed side of the Shred Bin (if the Shred Bin is against a wall, the wall side is not exposed; although if the Shred Bin is against a building pillar, the pillar side is considered exposed).

3. Addition or Removal of Shred Bins

- A. Shred Bins will be located as conveniently as possible for all users.
- B. The UAMS Office of Sustainability will evaluate any requests for additional Shred Bins or removal of Shred Bins. These requests will be based on the following criteria:
 - 1. The actual need for additional Shred Bins
 - 2. Proximity of other Shred Bins
 - 3. Volume of Confidential Information for requested Shred Bin
 - 4. Type of material to be placed in the requested Shred Bin

4. Servicing of Shred Bins

- A. UAMS will contract with an outside Vendor to service the Shred Bins and destroy the contents. The Vendor shall make regular rounds on campus to ensure the bins are appropriately emptied. Shred Bins in low volume areas will be emptied on a will-call basis; the respective department must schedule servicing directly with the Vendor when necessary. The Vendor shall not unlock any bins, except as needed to empty the Shred Bin. The Vendor will place a lock on any Shred Bin that does not have a lock unless the UAMS HIPAA Office has approved an open Shred Bin exception in accordance with this policy.
- B. When a Shred Bin is full prior to a regular servicing of the bin, the respective department must contact the Vendor directly to schedule additional servicing.
- C. If an issue or a problem with a Shred Bin or the Vendor remains unresolved, the respective department shall contact the UAMS Office of Sustainability.

5. Unlocking of Shred Bins

- A. The UAMS Office of Sustainability shall be the only office on the UAMS campus that maintains the keys to unlock and open the Shred Bins on campus. No other department or office shall maintain keys to unlock and open the Shred Bins.

- B. **Once any document is placed in a Shred Bin, the document is to be considered destroyed and non-retrievable.** Extenuating circumstances may necessitate unlocking and opening of a Shred Bin for retrieval of a document or item. Having to recreate a document mistakenly placed into the Shred Bin is not a reason to unlock and open a Shred Bin.
- C. If a Shred Bin requires unlocking and opening, the requesting individual shall contact the UAMS Office of Sustainability during regular business hours and schedule a time during regular business hours to have the Shred Bin unlocked and opened.
- D. When a Shred Bin is unlocked, the requesting person and their manager/supervisor shall be present during the time the bin is unlocked, opened, and relocked. The UAMS Office of Sustainability shall not unlock any Shred Bin and leave it open.
- E. Prior to unlocking and opening a Shred Bin, [Form OOS-1 \(Attachment 1\)](#) setting forth the reason for this action, must be completed and signed by the requesting person and supervisor.
- F. The UAMS Office of Sustainability shall directly observe the retrieval of all documents. The requesting person and the manager/supervisor shall ensure confidentiality of all documents of the unlocked Shred Bin and that only relevant documents are removed.

6. File Purging

- A. If a department has a large amount of PHI or Confidential Information which needs to be destroyed, a temporary Shred Bin may be placed for file purging purposes. The temporary Shred Bin request will be evaluated by the UAMS Office of Sustainability and will be approved in accordance with the above section regarding the addition or removal of Shred Bins.
- B. If a temporary and empty bin is placed, this Shred Bin can be left unlocked only for the purposes of file purging. If the requesting department desires the temporary Shred Bin to remain unlocked, the requesting person and the manager/supervisor shall sign [Form OOS-2 \(Attachment 2\)](#) accepting responsibility for confidentiality of the contents placed into the Shred Bin during the purge. Neither the UAMS Office of Sustainability, nor the Vendor, can ensure the security and confidentiality of the temporary purge bin that is left open.

7. Open Shred Bin Exceptions

- A. Departments requesting that a Shred Bin remain permanently unlocked must obtain written permission from the UAMS HIPAA Office.
- B. The UAMS Office of Sustainability cannot authorize any Shred Bin to remain permanently unlocked. The only department with such authority shall be the UAMS HIPAA Office based on the following criteria:

1. Whether there is a reason for the Shred Bin to be permanently unlocked, such as large volumes of paper being disposed at one time.
2. The security of the location of a permanently unlocked Shred Bin.

C. Locations approved for open Shred Bins by the UAMS HIPAA Office are:

1. The College of Medicine Registrar's Office
2. The In-Patient Pharmacy
3. The Out Patient Center Pharmacy
4. The Rockefeller Cancer Institute Pharmacy
5. The main hospital Clinical Laboratory
6. Health Information Management
7. Central Building Kitchen wash area

8. Unlocked, Damaged, or Otherwise Compromised Shred Bins

- A. Any Shred Bin that is found unlocked, damaged, or otherwise compromised, shall be immediately reported to the UAMS Office of Sustainability.
- B. An investigation and written report shall be completed by the UAMS Office of Sustainability, the UAMS HIPAA Office, and/or the respective department, depending on the specific incident. Copies of the report shall be submitted to the UAMS Office of Sustainability and the UAMS HIPAA Office.
- C. The UAMS Office of Sustainability shall contact the Vendor to replace the damaged Shred Bin.

SANCTIONS

Violation of this Policy will result in disciplinary action, in accordance with UAMS Administrative Guide Policy 4.4.02, *Employee Discipline* and UAMS Administrative Guide Policy 2.1.42, *HIPAA Sanctions Policy*.

Signature: _____



Date: **November 9, 2022**

Attachment 1

SHRED BIN OPENING REQUEST

Date: _____

Time: _____

Location: _____

Department: _____

Requesting person's name: _____

Manager/Supervisor: _____

Reason: _____

By signing below, we certify the following:

- The unlocking and opening of the Shred Bin is at our request.
- The unlocking and opening is for a legitimate reason and we have stated that reason above. The supervisor's signature indicates the opening is justified. Only the necessary documents/items will be removed.
- No other PHI or Confidential Information will be removed.
- We accept responsibility of ensuring all information is kept confidential.
- No documents or information will be removed that are not relevant to the reason stated above.
- We ensure confidentiality of all documents of the unlocked and open Shred Bin.
- We accept full responsibility of the unlocked and open Shred Bin.
- We are both present while the Shred Bin is unlocked and open.

Requesting person's signature: _____ Date: _____

Manager/Supervisor's signature: _____ Date: _____

Time unlocked: _____ Time Locked: _____ Signature: _____

Attachment 2

UNLOCKED TEMPORARY SHRED BIN FOR FILE PURGING

Date: _____

Time: _____

Location: _____

Department: _____

Requesting person's name: _____

Manager/Supervisor: _____

Reason: _____

By signing below, we certify the following:

- The unlocked temporary Shred Bin is at our request.
- The unlocked temporary Shred Bin is for a legitimate reason, which has been stated above, and the supervisor's signature indicates the reason is justified.
- The unlocked temporary Shred Bin is empty upon arrival.
- Only documents related to the file purge will be placed in this unlocked temporary Shred Bin.
- We accept responsibility for the confidentiality of the contents placed into the bin during the purge.
- We accept full responsibility of the unlocked temporary Shred Bin.
- We shall ensure the unlocked temporary Shred Bin is picked up and removed by the Vendor when the file purge is complete.
- We shall contact the UAMS Office of Sustainability when the purge is complete.

Requesting person's signature: _____ Date: _____

Manager/Supervisor's signature: _____ Date: _____

Time unlocked: _____ Time Locked: _____ Signature: _____