

Policy 9.16

POLICY TITLE:	HIPAA Privacy	POLICY #	REVIEW DATES	
Topic Area:	COMPLIANCE	ISSUED BY:		
Applies to:	LRE Staff and Operations, Member CMHSP, LRE Provider Network	Chief Operating Officer		
Developed and Maintained by:	COO and Compliance	APPROVED BY:		
Supersedes	N/A	Chief Executive Officer		
		Effective Date: January 1, 2014	Revised Date: 8/10/2026	

I. PURPOSE

To protect the privacy of individually identifiable protected health information , per the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the HITECH act, the Center for Medicaid and Medicare Services privacy regulations implementing HIPAA, 42 CFR, part2, other federal and state laws protecting confidentiality of protected health information, professional ethics and accreditation requirements.

II. POLICY

Lakeshore Regional Entity (LRE), LRE member Community Mental Health Service Programs (CMHSPs), and the LRE Provider Network will provide for the protection of individually identifiable protected health information (PHI). LRE has implemented policies, procedures and plans to safeguard individually identifiable PHI. The accompanying procedures detail these safeguards.

LRE, Member CMHSP, and the Provider Network (including providers of substance use disorder (SUD) services) shall utilize, accept, and honor the Michigan Department of Health and Human Services (MDHHS) Consent to Share Behavioral Health Information (MDHHS-5515).

LRE shall not use or disclose PHI without written authorization except where permitted or required by state and/or federal law(s).

If any standards specified in the accompanying procedures are violated (including LRE Procedure 9.16A), immediate sanctions according to the Sanction Procedures will occur.

III. APPLICABILITY AND RESPONSIBILITY

The policy applies to LRE staff, Member CMHSPs, and Network Providers.

IV. MONITORING AND REVIEW

The Chief Operating Officer and Compliance manager/designee will review the policy on an annual basis.

V. DEFINITIONS

Covered Entity: Under 45 CFR 160.103, a covered entity is (1) a health plan; (2) a health care clearing house; (3) a health care provider who transmits any health information in electronic form in connection with standard transactions.

HIPAA: Health Insurance Portability and Accountability Act

HITECH: Health Information Technology for Economic and Clinical Health

PHI: Protected Health Information

VI. REFERENCES AND SUPPODRTING DOCUMENTS

Balanced Budget Act 1997

HIPAA Act 1996

HITECH Act 2009

MDHHS Medicaid Specialty Supports and Services Contract

42 CFR, part 2

LRE Compliance Plan

VII. RELATED POLICIES AND PROCEDURES

LRE Policy 3.2 – HIPAA Security

LRE Procedure 9.16A – HIPAA Privacy

LRE Compliance Policies and Procedures

LRE Information Management Policies and Procedures

VIII. CHANGE LOG

Date of Change	Description of Change	Responsible Party
8/10/2026	NEW POLICY – Language separated from IT Security Policy. Merged policies 9.14 Standard Consent and 12.3 Release of Information with this policy.	CEO and Designee