Table of Contents

1. STATEMENT OF POLICY ................................................................. 2
2. TO WHOM THIS POLICY APPLIES .................................................. 2
3. DEFINITIONS .................................................................................. 2
4. PROHIBITED CONDUCT .................................................................. 2
5. DISCIPLINARY SANCTIONS .............................................................. 3
6. HISTORY ......................................................................................... 3
7. SIGNATURE, TITLE, AND DATE OF APPROVAL ................................. 3
1. **STATEMENT OF POLICY**

It is the policy of Westminster College to prohibit employees from taking retaliatory action against any individual for exercising rights guaranteed under HIPAA and from requiring individuals to waive their rights under HIPAA as a condition of the provision of treatment, payment, enrollment in a health plan or eligibility for benefits.

Westminster College adopts this HIPAA No Retaliation No Waiver Policy as required to comply with Title II of the Federal Health Insurance Portability and Accountability Act (HIPAA), 42 USC § 1320d to 1329d-8 and its accompanying Privacy Regulations, 45 CFR Parts 160 and 164.

2. **TO WHOM THIS POLICY APPLIES**

This policy applies to all faculty, staff, and student employees of Westminster College.

3. **DEFINITIONS**

A. Protected Health Information (PHI) is any information in any form about health status, provision of health care, or payment for health care that is created or collected by the College and can be linked to a specific individual.

4. **PROHIBITED CONDUCT**

A. Under no circumstances shall an employee of the College intimidate, threaten, coerce, discriminate against, or take other retaliatory action against any individual for:

   - The exercise of rights guaranteed under HIPAA, including the filing of a HIPAA complaint against the College;
   - The filing of a HIPAA complaint with the Secretary of Health and Human Services;
   - Testifying, assisting, or participating in a HIPAA investigation, compliance, review, proceeding or hearing; or
   - Opposing any act or practice that is counter to the HIPAA regulations, provided the individual has a good faith belief that the practice opposed is unlawful and the manner of the opposition is reasonable and does not involve a disclosure of PHI in violation of HIPAA.
B. Under no circumstances will the College require individuals to waive their rights to file complaints or other rights under HIPAA as a condition of the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.

C. All allegations of HIPAA retaliation against individuals will be reviewed and investigated by the College in a timely manner.

5. DISCIPLINARY SANCTIONS

Violations of this policy may result in sanctions and corrective actions up to and including termination and/or expulsion as set forth in the Staff Corrective Action Policy and Procedures, the Faculty Manual, and the Student Code of Conduct.

6. HISTORY

<table>
<thead>
<tr>
<th>Date of Last Action</th>
<th>Action Taken</th>
<th>Authorizing Entity</th>
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<tbody>
<tr>
<td>August 21, 2019</td>
<td>Final Policy Adopted</td>
<td>Policy Governance Committee</td>
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<tr>
<td>February 11, 2019</td>
<td>Interim Policy Approved</td>
<td>President’s Cabinet</td>
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7. SIGNATURE, TITLE, AND DATE OF APPROVAL

Approved: /s/__________________________________________

Bethami Dobkin, President