



Policies and Procedures

Subject: Training the Workforce
Policy Number: HIPAA 3.6
Effective Date: 7/10/04
Entity Responsible: Division of General Counsel
Revision Date: 1/18/2023

1. Purpose:

To provide guidance and instruction on training the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) workforce on the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its accompanying regulations codified at 45 C.F.R. Parts 160 through 164, and other relevant federal and state laws, such as 42 U.S.C. 290dd-2 and its accompanying regulations codified at 42 C.F.R. Part 2, and Tenn. Code Ann. § 33-3-103.

2. Policy:

The TDMHSAS must train all members of its workforce on the privacy and security regulations of HIPAA, 42 C.F.R Part 2, and Tenn. Code Ann. 33-3-103.

3. Procedure and Responsibility:

3.1: The TDMHSAS Privacy Officer must ensure that the Central Office workforce is trained on HIPAA and its accompanying regulations codified at 45 C.F.R. Parts 160 through 164, 42 U.S.C 290dd-2 and its accompanying regulations codified at 42 C.F.R. Part 2, and Tenn. Code Ann. § 33-3-103.

3.2: Each RMHI Privacy Officer must ensure that their RMHI workforce is trained on HIPAA and its accompanying regulations codified at 45 C.F.R. Parts 160 through 164, 42 U.S.C 290dd-2 and its accompanying regulations codified at 42 C.F.R. Part 2, and Tenn. Code Ann. § 33-3-103.

- 3.3: Each new member of the TDMHSAS or RMHI workforce is to be trained after the person joins the workforce. This training should take place within a reasonable period of time after their hiring.
- 3.4: If there is a material change in the above mentioned laws, regulations, policies, and procedures, the TDMHSAS or RMHI workforce whose functions are affected by such change shall be trained by the TDMHSAS Privacy Officer or the RMHI Privacy Officer on the material change within a reasonable period of time after the change becomes effective.
- 3.5: The TDMHSAS Privacy Officer and each RMHI Privacy Officer must document that training has been provided. This documentation must be retained for as long as the individual works for the TDMHSAS or RMHI, however, no less than for six (6) years.
- 3.6: The TDMHSAS Privacy Officer must advise the Central office workforce via a department-wide email when TDMHSAS HIPAA Policies and Procedures have been revised and posted on the TDMHSAS intranet website. The TDMHSAS Privacy Officer will notify the RMHI Privacy Officers of this, and the RMHI Privacy Officers shall notify the RMHI employees that the TDMHSAS HIPAA Policy and Procedures have been revised and are posted on the TDMHSAS intranet website.

4.0 Other Considerations:

4.1: Authority

45 C.F.R. §164.530(b); and 42 C.F.R. § 2.16(a).

Approved:



Commissioner

1-18-2023

Date