

Privacy Incident Reporting Process for Programs

Step 1:

1. Staff becomes aware of **suspected or actual** privacy incident.
2. Staff notifies manager **immediately**.
3. If County contractor was involved, notify Contracting Officer's Representative (COR).

Examples of *potential* privacy incidents include:

- Giving Client A's paperwork to Client B
- Sending email with client information to wrong staff
- Sending unencrypted email with client information outside of the County
- Misplacing a client's chart
- Losing County-issued phone or laptop

Step 2:

If County incident, Program Manager will:

1. Notify Agency Privacy Officer (APO) and Agency Compliance Officer (ACO) **immediately** by:
 - Sending an email to: angie.devoss@sdcounty.ca.gov and to robert.borntrager@sdcounty.ca.gov; AND
 - Calling 619-338-2808 (APO) during business hours; OR
 - Calling 619-944-7320 (ACO) after business hours.
2. Complete initial *HHS Privacy Incident Report (PIR)* form to the best of your ability and send to APO and ACO **within 1 business day**. The PIR is available on the Agency Compliance Office's website: www.cosdcompliance.org.
3. Continue to investigate and provide **daily updates** to APO and ACO, including any information missing from initial *HHS Privacy Incident Report*, and any additional information requested by APO and ACO.
4. Provide completed *HHS Privacy Incident Report* to APO and ACO **within 7 business days**.

If Contractor incident, COR will:

1. Direct Contractor to complete and return HHS Privacy Incident Report Form and updates, as above.
2. Direct Contractor to complete any other steps as directed by APO and ACO, including, but not limited to notifications or external reporting.

Step 3:

APO and ACO will:

1. Determine whether privacy incident occurred.
2. Recommend level of external reporting to County Counsel and Chief Operating Officer.
3. Assess whether client notifications are needed.

If notifications are required of County, Program Manager will:

1. Draft client notifications using template provided by APO or ACO and provide draft to APO and ACO **within 2 business days**.
2. Mail approved notifications to client **within 2 business days** of receiving APO/ACO approval.