



# HIPAA Notice of Privacy Practices

This document describes how medical information about you may be used and disclosed by King County and how you can get access to this information. Please review all information carefully and, if you have any questions, contact Benefits and Retirement Operations.

## **Our Obligations**

We treat all personal information you provide us to administer your health benefits as confidential and, under the Health Insurance Portability and Accountability Act (HIPAA), we must:

- Maintain the privacy of any protected health information (personally identifiable medical information) you provide us when you enroll for benefit coverage, change coverage or ask for our assistance with a health benefit claim.
- Provide you with this notice advising you how we handle your protected health information and informing you of our legal obligations and your rights regarding the information.
- Follow the terms of this notice effective April 14, 2003.

## **How We May Use and Disclose Protected Health Information**

When you enroll for benefit coverage, change coverage or ask for our assistance with a health benefit claim, you provide us with confidential information such as your name and Social Security number. Sometimes, when you ask for our assistance with a claim, you may also provide us with details about the health treatments you've received and payments for services you've made. This information becomes "protected health information" when used and disclosed in the course of managing our health care operations (administering your health benefits) and facilitating payment of health claims.

Pursuant to this notice, we may use and disclose this protected health information to:

- Our employees authorized to assist in the administration of county benefit plans
- Representatives of the plans or any third party administrators with whom we have agreements to provide your benefit services.

Additionally, we may use or disclose protected health information:

- When required by law (such as in response to a court or administrative order, subpoena, discovery request, etc.)
- For purposes of workers' compensation or similar programs
- When necessary to prevent a serious threat to the health and safety of you or the public.

For all the reasons explained above, we may use and disclose your personal health information without your written authorization. In all other cases, your written authorization is required.

## **Your Rights**

For any protected health information provided to and maintained by us, you have the right to:

- Inspect and copy it
- Request amendments to it if it's incorrect or incomplete (we may deny amendment requests for specific reasons; for example, we deny requests to amend information we didn't create)
- Request to know to whom it's been disclosed for disclosures made after April 14, 2003 (the effective date of this notice)
- Request restrictions on what is disclosed and to whom (we try to honor restriction requests, but are not required to do so)
- Request it be communicated to you in a certain way (for instance, that we only contact you by mail or at work; we try to honor these requests, but are not required to do so).

To exercise any of these rights, contact us in writing. Mail your request to Benefits and Retirement Operations, MLK-ES-0240, 401 Fifth Avenue, Suite 234, Seattle WA 98104, or e-mail it to [kc.benefits@kingcounty.gov](mailto:kc.benefits@kingcounty.gov).

## **Changes to Our Privacy Practices**

We reserve the right to change our privacy practices and to apply the new practices to protected health information we already have, as well as to any information we receive in the future. We will notify you if we make changes and when the changes become effective.

## **Complaints**

If you believe your privacy rights have been violated, you may file a complaint in writing with Benefits and Retirement Operations or the Secretary of the U.S. Department of Health and Human Services. You won't be penalized for filing a complaint.

To file a complaint with Benefits and Retirement Operations, mail it to MLK-ES-0240, 401 Fifth Avenue, Suite 234, Seattle WA 98104. Or e-mail it to [kc.benefits@kingcounty.gov](mailto:kc.benefits@kingcounty.gov).



**King County**  
**Office of Citizen Complaints – Ombudsman**  
401 5<sup>th</sup> Avenue, Room 135  
Seattle, WA 98104  
206-263-9242 v/tty 206-296-0948 fax

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### **Whistleblower Protection Code Summary**

Please review this summary and the Whistleblower Protection Code (KCC 3.42) before completing a whistleblower complaint form.

#### **I. What improper governmental action is:**

Improper governmental action is defined as any action by a county officer or employee undertaken in the performance of official duties which:

- A. Violates any state or federal law or rule or county ordinance or rule, or
- B. Constitutes an abuse of authority, or
- C. Creates a substantial or specific danger to the public health or safety, or
- D. Results in a gross waste of public funds.

#### **II. What improper governmental action is not:**

Improper governmental action does not include personnel actions or authorized action to which an employee or the investigating authority dissents.

Employees may not report privileged information or information that is legally protected from disclosure. Also, the report of an employee's own improper governmental action does not provide immunity from discipline.

#### **III. Reporting improper governmental action:**

Improper governmental action should be reported in writing to:

- A. Sexual harassment: supervisor, department director, or other agency as specified in county's adopted procedures for reporting sexual harassment;
- B. Employment discrimination: supervisor; department director; or other agency as specified in county's adopted procedures for reporting employment discrimination; or the Office of Civil Rights;
- C. Judicial misconduct: the Washington State Commission on Judicial Conduct;
- D. Police misconduct: the Sheriff's Internal Investigations Unit;
- E. Misconduct within District Court administration: Presiding Judge of District Court;
- F. Misconduct within Superior Court administration: Presiding Judge of Superior Court;
- G. Misconduct within Judicial Administration: Director/Clerk of Superior Court or the ombudsman;
- H. Misconduct within the legislative branch: Chair of the County Council;
- I. Misconduct within the executive branch: the King County Executive, department director of the appropriate executive agency, or the ombudsman;
- J. Misconduct within the Department of Assessments: the Assessor or the ombudsman;
- K. Violations of criminal laws: King County Prosecuting Attorney
- L. Violations of the Ethics Code: ombudsman.

#### **IV. Protection for reporting:**

Employees who act in good faith and in compliance with the law, are protected from retaliation for reporting improper governmental action or cooperating in a resulting investigation. To the extent allowed by law, the identity of employees reporting and providing information about improper governmental action shall remain confidential, unless the employees waives that right, in writing (KCC 3.42.040).

#### **V. Retaliation is prohibited:**

County officers or employees are prohibited from retaliating against any employee, who in good faith and in accordance with the law, reported improper governmental action. Retaliation means to make any unwarranted adverse change in an employee's employment status, terms or conditions.

Retaliation includes: denial of staff to perform duties; frequent staff changes; frequent and undesirable office changes; refusal to assign meaningful work; unsubstantiated letters of reprimand or unsatisfactory performance evaluations; demotion, reduction in pay; denial of promotion; transfer or reassignment; suspension or dismissal or other unwarranted disciplinary action.

Retaliation also includes hostile actions by one employee towards another that were encouraged by a supervisor, senior manager, or official.

#### **VI. Reporting retaliation:**

Reports of retaliation should be made, in writing and within 30 days of the occurrence alleged to constitute retaliation, to the ombudsman. The complaint must be signed and must specify the alleged act of retaliation and any relief requested.

The code requires the ombudsman to immediately forward the retaliation report to the head of the branch or department in which the retaliation is alleged to have occurred. The department has 30 days to respond to a report of retaliation. The department responds directly to the employee (complainant), and is allowed one 45-day extension which is initiated by notifying the complainant.

#### **VII. Appeal Procedures:**

If the department fails to respond to a report of retaliation within 45 days, or if the complainant is dissatisfied with the response, the complainant may request a hearing with the State Office of Administrative Hearings. The complainant has 15 days to deliver a request for a hearing to the head of the branch in which the alleged retaliation occurred.

For more information or questions about whistle blowing or reporting retaliation, please contact the Ombudsman Office.