


<b>CHAPTER</b> Information Management	<b>CHAPTER</b> 07	<b>SECTION</b> 001	<b>SUBJECT</b> 05
<b>SECTION</b> Information Systems		<b>DESCRIPTION</b> Smart Phone Usage	
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**APPLICATION:**

<input checked="" type="checkbox"/> CMH Staff	<input type="checkbox"/> Board Members	<input type="checkbox"/> Provider Network	<input checked="" type="checkbox"/> Employment Services Providers
<input type="checkbox"/> Employment Services Provider Agencies	<input checked="" type="checkbox"/> Independent Contractors	<input checked="" type="checkbox"/> Students	<input checked="" type="checkbox"/> Interns
<input checked="" type="checkbox"/> Volunteers	<input type="checkbox"/> Persons Served		

**POLICY:**

Lapeer County Community Mental Health (LCCMH) assures the protection and security of health information shared through electronic devices. This policy assures compliance with the Health Insurance Portability and Accountability Act (HIPAA) and regulations requiring protection and security of electronic health information, as well as protecting confidentiality and integrity of confidential medical information as required by law, professional ethics, and accreditation standards.

**STANDARDS:**

- A. Smart phones are provided to staff to increase the efficiency and quality of services delivered to persons served. Such phones and data devices are the property of LCCMH and are to be used for business purposes only. The Chief Executive Officer makes the final determination on which staff / programs use smart phones and how smart phones are to be used.
- B. All employees utilizing smart phones on agency business are expected to exercise care when incurring expenses. Employees will not conduct agency

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business on personal cell phones without prior authorization from the program supervisor or Chief Executive Officer (CEO).

- C. Any personal information on an agency issued phone is subject to Freedom of Information Act (FOIA) requests and can be subpoenaed.
- D. LCCMH reserves the right to investigate the circumstances surrounding the loss or damage of a device. If staff is found negligent in the safekeeping of the smart phone or data device, a charge not to exceed actual cost is assessed.
- E. Text messages may be used for reminder appointments, scheduling and reminder of items to bring to appointments, and not clinical therapy or exchanges of personal information.
- F. Text messaging is permitted on assigned agency phones only. Agency phones used for text messaging during working hours will not be left unattended. All phones are password protected.
- G. Persons served may choose to communicate to staff through text messaging. Any persons served who wish to communicate in this manner must sign a Consent for Mental Health Services located in the electronic medical record.
- H. No confidential information, including Protected Health Information (PHI), is sent via text messaging.
- I. No information from text messaging is shared with anyone outside of the agency without a Release of Information or court order.
- J. Any clinically relevant text message communication is submitted for scanning into the electronic medical record. Clinical staff enter a contact note with appropriate connection to text message in the electronic health record.
- K. Text messages are deleted as soon as the communication has concluded, or no more than 24 hours from the initial communication. No text messages are stored on agency phones for historical purposes.

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L. Management reserves the right to revoke the privilege if abuse occurs.

## **PROCEDURES:**

- A. New smart phones are to be requested to immediate supervisor who obtains approval from CEO.
- B. Compliance with these regulations is the responsibility of the individual user from each program. The CEO and/or their delegate reserves the right to review and question individual cellular phone bills appearing to violate the intent of these regulations.
- C. Passwords or pin numbers are created for all smart phones in order to restrict access to LCCMH Information System.
- D. Public WiFi will not be used with agency issued phones. The smart phone hotspot is used when WiFi is needed outside of a LCCMH facility.
- E. Lost or damaged smart phones are to be reported immediately after the occurrence to the IT Department.
- F. All smart phone users must read and sign the Smart Phone Access and Acceptable Use Agreement (Form #370) indicating understanding and willingness to abide by the terms and conditions.
- G. Smart phones are not to be loaned or used by non-agency personnel except in the case of an emergency. If this situation occurs, staff are to report this incident to their immediate supervisor.
- H. Staff are not to give out agency smart phone numbers for personal reasons. Personal incoming calls on agency cell phones are not permitted. Personal calls will not be made utilizing agency smart phones with the exception of emergency situations.
- I. Staff will not give out their privately owned personal cell phone numbers to persons served.
- J. In no situation may individuals install programs or apps which can be used to destruct or disrupt the use of any computing system or allows data to be saved anywhere but a LCCMH approved network.

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K. Violations of these procedures will result in revocation of the smart phone and/or disciplinary action may be assessed.

#### **DEFINITIONS:**

FOIA – Freedom of Information Act: A law entitling an individual to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees.

IT – Information Technology – The development, use, and maintenance of systems for storing, retrieving and sending data.

#### **REFERENCES:**

LCCMH Smart Phone Access and Acceptable Use Agreement Form #370

SK:mgr

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This policy supersedes  
#01/01004 dated 01/19.2001  
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