

INDIVIDUAL NYS LICENSED PRACTITIONER SECURITY AND USE POLICY and FORM

This document describes security terms, conditions and responsibilities that NYS licensed practitioners, hereafter referred to as Practitioners, must agree to in order to become a user of the HCS. This document supersedes all previous versions.

I. Introduction

The New York State Department of Health, hereafter referred to as NYSDOH, has developed the Health Commerce System (HCS) as a secure website allowing for exchange of non-public information between Practitioners and the Department. Practitioners may use the HCS for the following:

- Collecting and distributing health related data
- Participating in the Departments Public Health Preparedness and Response Plan
- Volunteering in case of Public Health Crisis

II. Overall Security

Practitioners are responsible for the security of HCS data physically located on, or transported over their own networks. This includes validation of users accessing their network (for example, by requiring that all users employ personal passwords), physical security of computers on their network, and security of data that is removed from the HCS (for example, copied onto disks or laptops).

III. Binding Effect

By signing a Practitioner account request form the Practitioner understands and agrees that he/she is bound by this agreement regardless of organization or location from which the HCS is accessed. The Practitioner also understands and agrees that future modifications to this agreement may be made and that the Practitioner's agreement with these changes may be effected on the HCS.

The Practitioner understands and agrees to comply with the following responsibilities and duties of the security and use policy, and that he/she will be bound by the agreement:

- Adhere to the terms and conditions of this agreement in its entirety regardless of the location from which the user accesses the HCS
- Assure the PIN number and password of the HCS account are kept confidential in a secure place and are not shared with anyone
- Update the contact information recorded in the Communications Directory when necessary so that it is accurate at all times
- Maintain the confidentiality of all data and information accessed on the HCS
- Access only that information on the HCS for which the Practitioner has been duly authorized
- Report any indications of fraudulent use, including being asked to use another's account to gain access to information not specifically authorized to yourself or by witnessing such an action from another user
- Contact NYSDOH at 1-866-529-1890 at least 3 business days prior to any change in HCS responsibilities or in employment status affecting the Practitioner's basis for accessing the account

Because the HCS is a secure system for collecting and distributing health related data among the Department, health facilities, providers, and public health response partners, it is very important for each Practitioner to accept the responsibilities and perform the duties expected of system users when using the HCS.

IV. Data Disclosure

Any Practitioner, who discloses confidential patient information, except as authorized by law, may be guilty of professional misconduct under Section 6530 of the State Education Law and may have violated other provisions of law governing confidentiality of information. Such violations may subject the Practitioner to suspension or termination of his or her professional license, fines or imprisonment, in addition to revocation of HCS access. A participating Practitioner who has obtained information from the HCS shall not disclose this information to any other person unless that person is legally authorized to obtain and has official reason to see that information.

V. Responsibility

The Practitioner is responsible for keeping his/her ID and password confidential and must not share access with anyone. Absent an appropriate response to account violations, user account privileges will be deleted. The practitioner agrees to keep NYSDOH informed of issues related to access of the HCS, and must notify NYSDOH of any event that would or may effect access or security by calling 1-866-529-1890.

VI. Investigations

The Practitioner will notify NYSDOH of any actual or suspected violations of this policy and will cooperate with NYSDOH in any subsequent investigations. Detailed logging of all communications and activity may be required during the course of an investigation.

VII. Revocation of Access

Access to NYSDOH's secure website is a privilege that may be revoked temporarily or permanently when violations of these security policies occur.