New York University strives to protect the confidentiality, integrity, and availability of EPHI by taking reasonable steps to manage access to EPHI appropriately. Who is affected by this policy is documented in HIPAA Policy 1 – Overview: Policies, Procedures, and Documentation.

Purpose of this Policy

Safeguarding access to EPHI and EPHI Systems is integral to the University’s compliance efforts under the HIPAA Security Regulations. This policy reflects New York University’s commitment to comply with such regulations by taking reasonable and appropriate steps to manage access to EPHI.

Scope of this Policy

Affected by these policies are all covered components that may be designated by the University from time to time, including the NYU School of Medicine, NYU College of Dentistry, and the Student Health Center, and areas designated part of the health care component of the University from time to time but only to the extent that each component performs activities that would make such component a business associate of a component of the University that performs covered functions if the two components were separate legal entities (i.e., support components), including the Office of the Bursar, Controller’s Division, including Accounts Payable, NYU Information Technology (NYU IT), Office of Insurance and Risk Management, Internal Audit, Office of Compliance and Risk Management, Office of General Counsel, Office of Sponsored Programs, University Relations and Public Affairs, Public Safety, Treasury Applications, and University Development and Alumni Relations. The NYU School of Medicine follows HIPAA-related policies and procedures created specifically for its environment; School of Medicine compliance with HIPAA is coordinated through Langone Medical Center. These policies affect all NYU workforce members in covered components.

Operational Requirements

A. Each covered component’s Minimum Necessary Policy, which is one of its HIPAA Privacy policies, and other policies as appropriate, shall be the basis for the type and extent of authorized access to EPHI. Access to EPHI will be granted only to workforce members who require specific information to accomplish the work responsibilities of their position, and will be granted on a need-to-know basis. Access shall be specified, documented, reviewed periodically, and revised as necessary.

B. Access to EPHI shall not be granted until New York University workforce members have been properly cleared in accordance with New York University’s Workforce Security policy (HIPAA Policy 4).

C. Access to EPHI shall not be attempted by workforce members who are not properly cleared in accordance with New York University’s Workforce Security policy (HIPAA Policy 4) and properly authorized to access such EPHI under this policy.
D. New York University workforce members who manage systems containing or transporting EPHI, as well as managers and/or supervisors of workforce members who use data, shall determine and authorize appropriate access to EPHI Systems and document the process for authorizing such access, as set forth in its Access Authorization operational specification (see 5.A).

E. New York University and each covered component shall document the process for establishing, documenting, reviewing, and modifying access to EPHI, as set forth in the University’s Access Establishment and Modification operational specification (see 5.B).

F. HIPAA REGULATORY INFORMATION

   CATEGORY: Administrative Safeguards
   TYPE: Standard
   HIPAA HEADING: Information Access Management
   REFERENCE: 45 CFR 164.308(a)(4)(i)
   SECURITY REGULATION STANDARDS LANGUAGE: “Implement policies and procedures for authorizing access to electronic protected health information that are consistent with the applicable requirements of subpart E of this part.”

Operational Specifications

5.A Access Authorization

1. New York University is committed to take reasonable and appropriate steps to ensure that appropriate access to EPHI is granted.

2. Each covered component of New York University will implement a documented process for granting and authorizing appropriate access to EPHI, to include where feasible:
   a. Procedure for permitting various levels of access to EPHI.
   b. Procedure for logging and tracking authorization of such access to EPHI.
   c. Procedure for reviewing and revising, on a periodic basis, authorization of access to EPHI.

3. HIPAA REGULATORY INFORMATION

   CATEGORY: Administrative Safeguards
   TYPE: ADDRESSABLE Implementation Specification for Information Access Management Standard
   HIPAA HEADING: Access Authorization
   REFERENCE: 45 CFR 164.308(a)(4)(ii)(B)
   SECURITY REGULATION IMPLEMENTATION SPECIFICATION LANGUAGE: “Implement policies and procedures for granting access to electronic protected health information, for example, through access to a workstation, transaction, program, process, or other mechanism.”

5.B Access Establishment and Modification

1. Each covered component of New York University will create a documented process for establishing, documenting, reviewing, and modifying access to EPHI in accordance with New York University’s Information Access Management policy (HIPAA Policy 5) and as set forth in the Access Authorization operational specification (see 5.A), to include:
   a. Procedure for establishing and documenting different access levels to EPHI.
   b. Procedure for documenting establishment of access to EPHI.
   c. Procedure for reviewing on a regular basis workforce members’ access privileges to EPHI.
   d. Procedure for modifying the access privileges of workforce members to EPHI, as appropriate, based on the periodic reviews.
2. Each covered component shall properly authorize and train New York University workforce members to access EPHI, and shall document that process, to include:
   a. Definition and classification of permitted access methods (e.g., user ID and password, two factor authentication, log-on procedure).
   b. Definition and classification of length of time access will be permitted (e.g., indefinite; a fixed period for temporary employees; or a fixed limited period based on business need).
   c. Procedure for granting and changing a workforce member’s access method.
   d. Procedure for managing access rights in a networked and distributed environment.
   e. Procedure for appropriate logging and tracking of activities by an authorized workforce member on EPHI.

3. Security controls or methods that establish access to EPHI shall include:
   a. The disabling or removing of access methods for workforce members who no longer require access to EPHI.
   b. Confirmation that redundant user identifiers (i.e., user IDs) are not created.
   c. User identifiers (i.e., user IDs) that enable workforce members to be uniquely identified. Workforce members’ privilege levels will not be reflected in the structure of user IDs.
   d. Each covered component will implement appropriate operational measures approved by the covered component’s EPHI security officer when a legacy system is in place that permits only common or shared identifiers.

4. Each covered component shall log and track modifications of New York University workforce members’ access rights and securely maintain the tracking and logging information. Tracking and logging shall provide the following information:
   a. Date and time of modification.
   b. Identification of workforce members whose access is being modified.
   c. Description of modified access rights.
   d. Reason for modification of access rights.

5. HIPAA REGULATORY INFORMATION

CATEGORY: Administrative Safeguards
TYPE: ADDRESSABLE Implementation Specification for Information Access Management Standard
HIPAA HEADING: Access Establishment and Modification
REFERENCE: 45 CFR 164.308(a)(4)(ii)(C)
SECURITY REGULATION IMPLEMENTATION SPECIFICATION LANGUAGE: “Implement policies and procedures that, based upon the covered entity's access authorization policies, establish, document, review, and modify a user's right of access to a workstation, transaction, program, or process.”

Policy Definitions

Availability
Business associate
Confidentiality
Covered component
Electronic Protected Health Information (or EPHI)
EPHI systems
HIPAA Security Regulations
Integrity
Workforce member

Related HIPAA Documents

HIPAA Policy 1 - Overview: Policies, Procedures, and Documentation
HIPAA Policy 11 - Facility Access Controls
HIPAA Operational Specification 11.C - Access Control and Validation Procedures
HIPAA Policy 15 - Access Control
HIPAA Privacy Regulations covered component’s Minimum Necessary Policy


