

**HIPAA Privacy Policy #35
Destroying and Disposing of Protected Health Information**

Effective Date: January 22, 2020	Refer to Privacy Rule Sections: 160.103; 164.306; 164.308; 164.310; 164.530
Authorized by: Equinox Board of Directors	Version #:

Policy: Equinox, Inc. must destroy and dispose of Protected Health Information in accordance with the following Procedures. *45 C.F.R. 164.530(c)*.

Procedures:

1. Acceptable Methods of Disposal:
 - a. Paper: Equinox, Inc. shall dispose of Protected Health Information in paper form by using a shredder or incinerator. Equinox, Inc. may hire a contractor to shred, incinerate or recycle Protected Health Information (*See* Equinox, Inc.'s Policy No. 27 entitled "Uses and Disclosure of Protected Health Information Without Patient Authorization to Business Associates" to determine whether a contractor must sign a Business Associate Agreement.) *45 C.F.R. § 164.530(c)*.
 - b. Tape or Disc: Equinox, Inc. shall dispose of Protected Health Information on magnetic tape or disc (including computer hard drives) by completely erasing or overwriting the tape or disc before being repurposed or destroyed. *45 C.F.R. § 164.310(d)(2)*.
 - c. Office Support Electronics: Any device with an internal memory storage, such as a printer, scanner or copier, must have the Protected Health Information completely deleted or erased from the internal memory before being repurposed or destroyed. *45 C.F.R. § 164.310(d)(2)*.
2. Adhere to Record Retention Requirements: Do not dispose of medical records prior to the expiration of relevant record retention periods. HIPAA requires that certain records (including designated record sets) must be maintained for at least seven (7) years after they were created. (*See* Equinox, Inc.'s Policy 36 entitled "Maintaining Documentation.") State and Federal laws impose independent record retention obligations, which in some cases is longer than seven (7) years, such as in the case of minor patients. *45 C.F.R. § 164.530(j)(2)*.
3. Training Workforce Members: Equinox, Inc. must ensure that their Workforce members receive training on and follow the disposal Policies and Procedures of Equinox, Inc., as necessary and appropriate for each Workforce member. This includes any volunteers. *45 C.F.R. §§ 164.306(a)(4), 164.308(a)(5), 164.530(b), 160.103*.