



McLAREN HEALTH CARE		Policy Title:	Use of Personal Communication Devices
Effective Date:	January 1, 2018	Policy Number:	HR 0160
Review Date:	6/30/16	Section:	Human Resources
Revised Date:	12/12/17	Oversight Level:	Corporate
Administrative Responsibility:	MHCC Vice President Human Resources		

1. Purpose

To ensure that the use of personal communication devices does not result in the wrongful disclosure of individually identifiable health information under the Health Insurance Portability and Accountability Act (HIPAA), prohibit disclosure of proprietary or other confidential information not known to others, and minimize disruptions to employees, students, and volunteers involved in patient care during their working time.

2. Scope

All employees, students, volunteers and any other individuals performing work at McLaren Health Care and its subsidiaries (MHCC).

3. Definitions

3.1. Personal Communication Devices: Personally owned electronic communication devices such as cellular phones, paging devices, electronic messaging devices, and other electronic communication devices.

3.2. Authorized Use of Personal Communication Devices: Those employees authorized to use personal communication devices by MHCC for business purposes are allowed to carry the devices on his/her person. For purposes of this policy, “employees authorized to use personal communication devices” will be limited to positions specifically identified by management where the benefits of such use outweigh MHCC’s significant interests in maintaining patient privacy. Generally, employees directly involved in patient care will not be “employees authorized to use personal communication devices” due to MHCC’s strong interests in protecting patient confidentiality and ensuring MHCC provides competent, quality, and attentive service to its patients. Employees authorized to carry personal communication devices while at work are encouraged to keep devices on vibrate mode to reduce interruptions and disturbances.

4. Policy

4.1. Employees and volunteers who are not authorized to use a Personal Communication Device for business purposes must turn their personally owned devices off or place them on vibrate.

Employees and volunteers who are not authorized to use Personal Communication Devices are allowed to use personal communication devices during their nonworking time (e.g., their lunch and break periods, before starting work, or after ending work). When using such devices during these times, it should be done in a non-patient care area, or other non-working areas that will not interrupt or disturb others (e.g., lunch room, break area, administrative office where such use does not interrupt other employees actively working, etc.).

4.2. The use of camera or other video-capable recording Personal Communication Devices to record images of MHCC's patients, hospital equipment, confidential and proprietary information, property, or facilities is prohibited.

4.3. This prohibition is not intended to infringe on an employee's individual legal rights or employees' rights to engage in protected concerted activities. While by no means exhaustive, the following are examples of pictures/recordings this policy is intended to prohibit: a nurse or doctor taking pictures of patients, patient procedures, or patient medical records in violation of the Health Insurance Portability Accountability Act; a nurse carrying a cell phone and answering personal calls about social plans while actively working with a patient or completing a patient chart; any employee taking photos of proprietary trade secrets for the purpose of using it at a new job to compete with MHCC. Permissible usage examples include: any employee using his/her personal cell phone during his/her lunch or break time while in the cafeteria; an employee recording an equipment safety concern to discuss with management at an employee safety meeting (so long as no patient image or information is captured in the photograph).

4.4. McLaren is not responsible for the loss or damage to personal communication devices, or any other personal item brought to work.

4.5. Violation of this policy will subject an employee to corrective action up to and including termination.

5. References

5.1. ~~MHCC HR-0133 Issuance of Communication Device Policy (retired)~~

5.2. MHCC CC0106 Technology Resource Policy

6. Exception Provision

If any provision of this policy conflicts with an express provision(s) of an applicable bargaining agreement or letter of agreement, the latter shall supersede this policy to the extent necessary to comply with contractual obligations.

Approvals:

Corporate HR Policy Committee: March 23, 2009; June 30, 2016

Human Resources Council: July 2, 2009; September 7, 2017; [ADD APPROPRIATE DATE]

Date

Previous Revisions: Not Applicable
Supersedes Policy: Not Applicable