

# Privacy and confidentiality

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Fallon Health's privacy policies protect the confidentiality of member information and records. Relevant elements of our policies include:

1. We recognize that Fallon Health and Fallon's contracted providers create, collect, maintain, and process sensitive and confidential information about members, employees, practitioners, and other providers and about business and administrative functions.
2. We require that Fallon's contracted providers ensure compliance with relevant and applicable privacy and confidentiality laws and regulations, including, but not limited to HIPAA, The Health Information Technology for Economic and Clinical Health Act (HITECH), 42 CFR Part 2, Genetic Information Nondiscrimination Act (GINA), and state laws in the state(s) or commonwealth(s) they practice in.
3. Fallon contracted providers must ensure that members have timely access to their records with the appropriate written release signed by the member or their personal representative.
4. Confidential information will be protected from access, use, removal, editing, or disclosure by unauthorized individuals.
5. Any data shared with non-plan entities, especially employers of plan members, must not be member-identifiable, either explicitly or implicitly, unless specific consent to such data sharing is obtained from the member.
6. Members must have the opportunity to understand and give permission if identifiable information is to be shared with their employers, whether fully insured or self-insured. Fallon contracted providers must have and adhere to state and federal laws for obtaining member consent to release information to a member's employer.
7. Access to areas where confidential information may be discussed (e.g., patient treatment areas) will be limited to only those staff whose presence is required for a legitimate purpose.
8. Access to areas where paper records are maintained, or where electronic records are accessed, must be limited to only those staff with appropriate rights and role-based access.
9. If telehealth or other remote technologies are used by Fallon contracted providers, such privacy and confidentiality protections shall extend to the locations where staff are remotely working from, and the platforms used by such staff.