



MISSOURI DEPARTMENT OF MENTAL HEALTH

MARK STRINGER, DEPARTMENT DIRECTOR



DEPARTMENT OPERATING REGULATION NUMBER
DOR
8.340

CHAPTER Regulatory Compliance	SUBCHAPTER HIPAA Regulations	EFFECTIVE DATE 6/23/16	NUMBER OF PAGES 3	PAGE NUMBER 1 of 3
SUBJECT Use of Email Containing PHI		AUTHORITY 630.050 RSMO	HISTORY See Below	
PERSON RESPONSIBLE General Counsel			SUNSET DATE 7/1/19	

Purpose: The policy of the Missouri Department of Mental Health (DMH) is to secure consumers' protected health information in compliance with federal law and federal regulations at 45 CFR Parts 160 and 164, and 42 CFR Part 2. This DOR addresses using email containing unencrypted PHI.

Application: DMH, its facilities and workforce.

(1) Definitions

(A) Chief Security Officer (CSO) - Individual designated to oversee all activities related to the development, implementation, maintenance of, and adherence to DMH and facility policies and procedures covering the electronic and physical security of, and access to, protected health information and other DMH data in compliance with federal and state laws and regulations.

(B) **DMH Workforce Members:** Includes all state employees, volunteers, trainees, and other persons whose conduct, in the performance of work for a covered entity, is under the direct control of such entity, whether or not they are paid by the covered entity (facility or Department). This shall include client workers employed by the Department of Mental Health or its facilities.

(C) Email - The electronic transfer of information in the form of electronic notes and memorandum. Also includes the transfer of information between DMH staff and staff of other State agencies, providers, and other organizations with whom the DMH has a business relationship.

(D) Local Security Officer (LSO) – Individual designated to oversee facility information and physical security practice and policy compliance and to coordinate those activities with the CSO.

(E) Protected Health Information (PHI) – Individually identifiable health information that is transmitted or maintained in any form or medium, by a covered entity, health plan or clearinghouse as defined under the Health Insurance Portability and Accountability Act (HIPAA), 45 CFR Parts 160 and 164.

(2) Procedures for using email.

- A. Emails containing PHI must be encrypted when the intended recipient's email address has an email extension that is outside of the consolidated statewide network.
- B. The email extensions included in the consolidated statewide network are listed on the attachment to this DOR.
- C. To encrypt an email, type [encrypt] anywhere in the email subject line.
- D. Staff receiving emails containing PHI from outside entities must encrypt the email or remove the PHI before replying or forwarding outside of the consolidated network.



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(3) There shall be no facility policies pertaining to this topic. The Department Operating Regulations shall control.

(4) Sanctions. Failure of workforce members to comply or ensure compliance with the DOR may result in disciplinary action, up to and including dismissal.

(5) Review Process. The CSO will periodically collect information from the encryption software reports for the purpose of analyzing trends and issues associated with compliance with this DOR.

History: Emergency DOR effective June 1, 2003; expires November 30, 2003. Emergency DOR withdrawn and final DOR effective September 1, 2003. Amendment effective July 1, 2007. Amendment effective July 1, 2010. Amendment effective May 17, 2013. Amendment effective June 23, 2016.

Attachment: Consolidated Email Extensions

CONSOLIDATED E-MAIL EXTENSIONS

agoelect.mo.gov
at.mo.gov
auditorelect.mo.gov
contractor.mo.gov
cu.mo.gov
cwo.mo.gov
ded.mo.gov
dese.mo.gov
dfs.dps.mo.gov
dhe.mo.gov
dhss.mo.gov
difp.mo.gov
dmh.mo.gov
dnr.mo.gov
doc.mo.gov
dof.mo.gov
dolir.mo.gov
dor.mo.gov
dps.mo.gov
DRTest.mo.gov
dss.mo.gov
eiera.mo.gov
fasrv.mo.gov
fax.mo.gov
govelect.mo.gov
health.mo.gov
hs.mo.gov
inexam.mo.gov
insurance.mo.gov
labor.mo.gov
Lpha.mo.gov

ltgov.mo.gov
ltgovelect.mo.gov
mcdhh.mo.gov
Mcpssc.mo.gov

mda.mo.gov
mec.mo.gov
mo.gov
moddcouncil.org
Mosrvfaxvm.mo.gov

mozix01.dof.mo.gov
mpcdd.com
mqa.mo.gov
mri.mo.gov
msb.dese.mo.gov
msb.k12.mo.us
msd.dese.mo.gov
mswp.dps.mo.gov
mvc.dps.mo.gov
oa.mo.gov
oca.mo.gov
oit.mo.gov
pr.mo.gov
sema.dps.mo.gov
senate1.mo.gov
soselect.mo.gov
state.mo.us
stc.mo.gov
stoelect.mo.gov
swcd.mo.gov
Tstmps.mo.gov

transform.mo.gov
vr.dese.mo.gov