



RESOURCE AND PATIENT MANAGEMENT SYSTEM

Direct Messaging Privacy Policy

(BRDM)

User Agreement

Privacy Policy
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Office of Information Technology
Division of Information Technology

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1.0 IHS Privacy Policy

DIRECT Messaging (DIRECT) is a secure email system of the Indian Health Service (IHS). This system, including all related equipment, networks, and network devices (specifically including Internet access) is available only for authorized use. IHS may monitor this system for all lawful purposes, such as ensuring authorized use; managing the system; protecting against unauthorized access; verifying security procedures; survivability; and operational security. This information may be monitored, recorded, copied, and used for authorized purposes.

Privacy Act Warning

DIRECT registration and account setup requires collection of your personal information. IHS will be unable to establish a DIRECT account without your personal information.

The IHS makes every effort to protect your privacy. For registration purposes: two (2) valid government picture identifications are required, and some demographic information may be collected in the system, such as your name, date of birth, credentials, zip code, and DIRECT username to provide you access to DIRECT. Collection of this information is subject to the Privacy Act of 1974, as amended (5 U.S.C. § 552a). Only authorized persons may use your information contained in DIRECT. Any unauthorized disclosure or misuse of your information may result in criminal and/or civil penalties. Any individual may file a civil action in a Federal District Court against IHS if the individual believes that IHS violated the Privacy Act.

For site management, information is collected for statistical and management purposes. DIRECT uses software programs to create anonymous, summary statistics, which are used for such purposes as assessing what DIRECT information and functions are useful to you and other users and identifying system performance or problem areas. For security purposes and to ensure that this service remains available to all users, IHS DIRECT employs software programs to monitor network traffic to identify unauthorized attempts to upload or change information, or otherwise cause damage. Except for authorized law enforcement investigations and required audits, no other attempts are made to identify individual users or to track an individual user's usage habits. Unauthorized attempts to upload information or change information on or from this system are strictly prohibited and may be punishable under federal law.

The Use of Cookies

DIRECT does not use "persistent cookies" to retain information about users of DIRECT. The IHS prohibits the use of "persistent cookies," a type of web technology that collects user-identifying information over time and across different websites.

DIRECT Messaging

You may send and/or receive secure messages using DIRECT through your RPMS EHR or DIRECT web system. DIRECT will only send and receive messages from trusted DIRECT accounts. Your DIRECT account shall be used to exchange health related information with other healthcare providers, patients, and/or patients' personal representatives only.

Message Agents will monitor and respond to messages on behalf of healthcare providers, patients, and patients' personal representatives as appropriate.

Alternate Email Address (Non-DIRECT email address)

DIRECT reserves the right to contact you via the alternate email address regarding important system or account information, major changes planned for DIRECT, or for other system-related needs. DIRECT is not responsible for any consequences resulting from DIRECT emails being blocked by your Internet service provider, spam-blocking software, or similar.

Security of Information

Security maintenance and administration is an essential element of DIRECT system operation and maintenance. DIRECT has several levels of security to protect your information. When you type in your message, DIRECT establishes a secure connection with your browser so information is encrypted or scrambled for transmission and storage. In addition these security levels comply with the Privacy Act of 1974 as amended (5 U.S.C. § 552a); the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub. L. 104-191, Aug 21, 1996, 110 Stat. 1936); 45 CFR, Parts 160 and 164; and the Health Information Technology for Economic and Clinical Health (HITECH) Act (Pub. L. 111-5, Feb 17, 2009).

Secure Socket Layer (SSL) / Transport Layer Security (TLS)

Secure Socket Layer (SSL)/Transport Layer Security (TLS) is a security protocol, which provides a transmission level of encryption between the user's browser and DIRECT server machines. SSL/TLS is a method for protecting DIRECT user's identification and password.

Personal Responsibilities

As a DIRECT user, you must handle and respond to the information received in the DIRECT account timely and appropriately in accordance with healthcare industry standards of patient care and your local policies.

Based on your professional judgment, significant health information exchanges will be shared and incorporated into the patient's RPMS EHR record. You take full responsibility for disclosing information in this account to other individuals as needed.

Registration and Log In

To meet Meaningful Use performance measures, and to send and receive secure messages to other healthcare providers, patients, and patients' personal representatives, registration is required. To access DIRECT, IHS will require identity verification during registration and login.

Password Protection

Your DIRECT account is password protected. You will have four (4) chances to enter the correct password before the system locks your account. You will need to contact your system administrator for assistance to unlock your account. Your password will expire every sixty (60) days. You shall not share your password with anyone and must exercise caution by securing your password. The IHS will never ask for your password.

Logging Out

You must log out when you are finished accessing the password protected DIRECT. This prevents someone else from accessing your account if you leave or share the computer. If ten (10) minutes of non-activity pass, the session will expire.

Saving of Passwords by Browser on all Computers

Many internet browsers (such as Internet Explorer, Apple Safari, or Google Chrome) allow users to save their usernames and passwords. When prompted by a browser to save your DIRECT username and password, you must decline this option. Saving your username and password could potentially enable anyone to gain unauthorized access to your account and your patients' health information.

Surveys, Questionnaires, and Polls

IHS may use surveys, questionnaires, and polls to facilitate feedback and input from DIRECT users. When you respond to surveys, questionnaires, or polls related to DIRECT, this information is collected anonymously. This aggregated information is used only for statistical purposes. No surveys, questionnaires, or polls will ever ask you for your personal information or DIRECT password.

2.0 Agreement and Disclaimers

DIRECT Messaging Terms and Conditions

I. General Disclaimer

Indian Health Service (IHS) DIRECT Messaging (DIRECT) is subject to the following Terms and Conditions and the DIRECT Messaging Privacy Policy. You must agree to these Terms and Conditions and the DIRECT Messaging Privacy Policy to access DIRECT.

DIRECT is a secure email system. It is available for the Indian Health System healthcare providers, patients, and patients' personal representatives to send and receive healthcare related information between its participants and other trusted DIRECT partners. The Indian Health System is made up of the Indian Health Service, which is a Federal agency, and participating Tribal and Urban programs. Your DIRECT account is dedicated solely for healthcare related communications and must not be used for any other purposes. All information resides on and transmits through protected federal computer systems and networks.

Use and disclosure of your information is limited, as required by federal law. IHS only uses the specified information you provide as agreed to in these Terms and Conditions. IHS does not sell, trade, or rent users personal information. IHS reserves the right to perform statistical analyses and profiling of user behavior and characteristics to measure interest in and use of the various functions of the system. IHS may at times share this aggregated information (i.e. anonymous statistical data) about our users within the Indian Health System for quality assurance audits and DIRECT administrative needs.

The IHS acknowledges that privacy and security of your and your patients' information matters to you. IHS has taken measures to provide appropriate levels of security to protect the information exchanged within DIRECT. Certain information about your account may be shared with authorized personnel to administer DIRECT. IHS protects the information you provide with security technology based on current computer industry standards, and applicable Federal guidelines.

II. Medical Disclaimer

DIRECT provides an additional method of communication between DIRECT users, patients, patient's personal representatives and other trusted partners. DIRECT does not replace face-to-face patient care communications. The information provided by DIRECT is to help you and patients with healthcare decisions. DIRECT is not used in the event of a medical emergency.

The health-related information exchanged through DIRECT is not part of the patients' RPMS EHR medical record unless incorporated into the RPMS EHR chart by the health care provider.

III. Your Obligations

DIRECT is an IHS web system for Indian Health System participants to send and receive health-related information to other healthcare providers and to patients and/or their personal representatives. As a user, you must verify the DIRECT address of the recipient of your message. Your use of DIRECT means you understand, accept, and grant your consent to review and take action related to your system usage including, but not limited to monitoring, auditing, inspecting, investigating, restricting access, tracking, sharing with authorized personnel, or any other authorized actions by authorized Indian Health System and law enforcement personnel.

Threats, attempts, or actions to modify this system, attempt to inappropriately share the data, deny access to the system, gain unauthorized access to data, breach system security, or otherwise damage the system or data contained within are strictly prohibited. These actions may result in criminal, civil, or administrative penalties resulting from violations of federal laws including, but not limited to, 18 U.S.C. § 1030 (Fraud and Related Activity in Connection with Computers) and 18 U.S.C. § 2701 (Unlawful Access to Stored Communications).

IV. Printing, Saving, or Downloading Information

Documents containing PHI may only be viewed or stored on authorized, encrypted and secure devices, and must be deleted when no longer required. Storage of the data must comply with applicable Federal law, Federal regulations, including HIPAA, and organizational security, privacy and Health Information Management (HIM) policies.

V. Inactivating Your Account

To inactivate your DIRECT account, you must contact your supervisor and provide a written request. Be aware that once inactivated, information from the account becomes immediately inaccessible and cannot be retrieved by you.

VI. Agreement

By logging in to DIRECT, you acknowledge that you have read and agreed to all of the Terms and Conditions stated herein. You expressly acknowledge and agree to take actions as defined in your local policies and in accordance with the industry standards of patient care. Further, you expressly acknowledge and agree that representatives from DIRECT and the IHS may contact you regarding surveys, questionnaires, and polls. Your participation in questionnaires and polls is voluntary and not required in order for you to access DIRECT.

VII. Changes to DIRECT Messaging Terms and Conditions and Privacy Policy

The DIRECT Terms and Conditions and Privacy Policy may be revised. When IHS makes a change that affects the information collected and use of the system, IHS will update and post the revised Terms and Conditions and Privacy Policy on the DIRECT login screen and on the DIRECT informational website. By logging in to the DIRECT system, you accept that you have read and acknowledged the new Terms and Conditions and Privacy Policy.