



## *LINKS Confidentiality Policy*

### *Louisiana Immunization Network (LINKS) System*

The Louisiana Immunization Network (LINKS) System is a computer based immunization information system implemented by the Louisiana Department of Health-Office of Public Health (LDH-OPH). The purpose of LINKS is to coordinate immunizations among health care providers to assure an adequate immunization level and to avoid unnecessary immunizations. This policy defines confidentiality protections, choice to prevent sharing of information, data retention and liability.

LINKS is developed under the authority of R.S. 40:31.11-16. LINKS shall protect the privacy of LINKS participants and the confidentiality of all information contained in it. Patient or provider specific information in LINKS is only available to the authorized users. "Authorized users" may include clinic/office managers, nurses, physicians, medical assistants, and medical clerks.

LINKS access is limited to persons or institutions that either provide immunization services or are required to ensure that persons are immunized. Providers administering immunizations are "authorized users" as are clinic/office managers, nurses, physicians, medical assistants, and medical clerks. Patient or provider information is only available to participating immunization providers, the Louisiana Department of Health, schools and licensed daycare providers.

The initial process for LINKS enrollment is to sign a provider Site Agreement. The agreement establishes the relationship between LINKS and the Site and must be signed by the site manager or other site designee. The site assumes responsibility for the proper use and protection of LINKS data at their site.

#### I. Agreements to Protect Confidentiality

Each site must designate individuals that will use LINKS. Only designated individuals will be issued user names and passwords. Each individual user must also sign the User Agreement stating that he/she has read the LINKS Confidentiality Policy and agrees to abide by the following security precautions:

- He/she has read and agrees to abide by the LINKS Confidentiality Policy.
- Information contained in LINKS is confidential and can only be used for purposes outlined in the LINKS Confidentiality Policy.
- Each user is responsible for safeguarding his/her user ID and password.

- User ID and/or password must not be given to others.
- LINKS user IDs and passwords must not be posted any place.
- The computer should not be left unattended when a LINKS session is open.
- Always log off and close the browser when you are finished with a LINKS session.

## II. Notification

The Louisiana Department of Health, Office of Public Health, Immunization Program will provide posters and pamphlets concerning LINKS to enrolled user sites. Materials must be displayed at enrolled sites for easy viewing or access by parents/patients.

## III. Sharing of Information

The immunization records of all persons receiving vaccines in Louisiana are included in LINKS. R.S. 40:31.11-16 permits enrolled providers to submit data to LINKS and obtain information from the system without consent from the patient or parent/guardian.

### Prevent Sharing of Information

A client may prevent his or her information contained in LINKS from being shared with authorized users other than the client's primary health care provider and local health unit at any time. Likewise, a custodial parent or legal guardian may prevent minor client's information contained in LINKS from being shared with authorized users other than the minor client's primary health care provider and local health unit at any time. LINKS shall provide forms and contact information to clients, custodial parents or legal guardians to request that the client's or minor client's information not be shared. Information about this procedure must be available at authorized user sites. Any client, custodial parent, or legal guardian may call OPH to obtain a "Request to Prevent Sharing of Records in LINKS" form or download the form from the LINKS website. The form must be signed and returned to the LDH-OPH's Immunization Program by U.S. mail. The contact information and website address will be published in LINKS brochures, notification posters, and other educational materials.

### Re-instate Record Sharing

A client who has prevented sharing of his or her information in LINKS with other authorized users may re-instate record sharing anytime by filling out the form "Request to Re-instate Record Sharing in LINKS. Likewise, a custodial parent or legal guardian who has prevented sharing of a minor client's information in LINKS with other authorized users may re-instate record sharing anytime by filling out the form "Request to Re-instate Record Sharing in LINKS." A client, custodial parent or legal guardian

may obtain this form by contacting LINKS through the contact information published in the LINKS parent brochure.

#### Withdrawal

The immunization record of a client shall be withdrawn/purged from LINKS at any time that the client or client's custodial parent or legal guardian requests, in writing, that the immunization record be withdrawn/purged therefrom. Information about the withdrawal/purging procedure must be available at authorized user sites. Any individual may send a written request of withdrawal/purging to LDH-OPH. The written request must be signed and returned to the LDH-OPH's Immunization Program by U.S. mail. The contact information and website address will be published in LINKS parent brochures, notification posters, and educational materials.

#### IV. Use of LINKS Data

As defined in R.S. 40:31.11-16, information contained in LINKS may only be used to track and document immunization status, for other immunization program –related activities, and for associated public health research. Pursuant to R.S. 40:31:14.B, providers cannot be held liable for good faith use of LINKS data for purposes of tracking patient immunization status and outreach to patients. Authorized users may access LINKS only when needed to coordinate immunization services, assure adequate immunization of a patient, avoid unnecessary immunizations, to confirm compliance with mandatory immunization requirements, and to control disease outbreaks.

#### V. Access to and Disclosure of Information

Only authorized users who have been identified as a "designated individual" by the site as described in Section IV of this policy may access and use information in LINKS for purposes described in Section IV of this policy. Health plans, policy makers, and bona fide researchers may request access to LINKS information for approved research and statistical purposes, determined in accordance with department Policy Memorandum. The original Policy Memorandum book used to be kept in the Office of the Assistant Secretary. Copies of same were distributed to all health units and various OPH offices.0008-79, Section C #30. Health plans and providers may only access records of patients for whom they are clinically or contractually responsible. Contractors, vendors, consultants and others granted access to LINKS through a legal agreement to provide services for OPH must abide by the same confidentiality safeguards as other authorized users and are bound by the same penalties for misuse.

School and Early learning center may access and use LINKS. Once authorized by signing LINKS Site Enrollment Form and User Agreement, these users may access the system to add and update patient records for compliance with school entrance requirements. Annual reports required by LDH-OPH shall be submitted electronically through LINKS School Nurse Module.

Clients and/or custodial parents/legal guardians may access their own immunization information contained in LINKS through their health care provider, authorized consumer

access portal, local public health unit, or OPH. Authorized users must allow the custodial parent or legal guardian to inspect, copy, and if necessary, amend or correct their child's immunization records if he/she demonstrates that the record is incorrect by a credible source.

## VI. Data Retention

LINKS is a birth to death network and all records will be maintained unless proper form or request is filed to prevent sharing or withdrawal/purging from LINKS.

## VII. Penalties for Unauthorized Disclosure

Authorized LINKS sites are responsible for the actions of staff regarding the confidentiality of information contained in LINKS. All users have a responsibility to abide by confidentiality laws R.S. 44:17 and R.S. 31:14(C), which are expressly listed in this document, and in the Site Enrollment Form and User Agreement. Users who willfully misuse information contained in LINKS will have their access to LINKS immediately restricted by LDH-OPH. An incident report will be filed, and following investigation, appropriate action taken. Any person who willfully violates any provision of LINKS Confidentiality Policy could be subject to imprisonment for not more than five years or by a fine of not more than five thousand dollars, or both, pursuant to R.S. 14:132 or R.S. 14:133.

## VIII. Liability

Authorized Sites and users who report information in good faith pursuant to Louisiana R.S. 40:31.14.B, are not liable for reporting the immunization information to the Louisiana Department of Health for use in the system.

## IX. Security Procedures

The site shall maintain reasonable and appropriate administrative, technical, and physical safeguards to ensure the integrity and confidentiality of any information contained within the LINKS system.