

RULES & BY-LAWS COMMITTEE

February 5, 2019

6:00 PM

PRESENT: Robert Acuff, Mike Hill, Ronnie Trivett for Brad Johnson, Jerry Profitt, Layla Ward, Randall Jenkins, Aaron Frazier and Rick Richardson

ABSENT: Brad Johnson

CALL TO ORDER: Randall Jenkins, Chairman

ROLL CALL: Quorum Present

- Approval of Agenda: Motion was made by Mike Hill, seconded by Ronnie Trivett to approve the agenda as presented. By voice roll call vote, motion carried.
- Approval of Minutes: Postponed until next meeting
- Public Comments: None
- New Business: Regarding the dissolving of Carter County Tomorrow, Mayor Barnett stated the Joint Economic Community Development Board meeting had to be rescheduled and CCT would be meeting in February. He said this matter would be discussed at both meetings.

Chairman Jenkins referred the current ethics policy to the County Attorney. As setting up an Ethics Committee again had been mentioned, he stated to the best of his knowledge the committee consisted of all the members of the county commission. He stated the committee had very limited authority and were only allowed to investigate conflict of interest matters or improper acceptance of gifts. He stated should a violation occur, their findings were either turned over to the DA for prosecution or reported to the County Attorney for review. He stated he felt the reorganization of an Ethics Committee was not a pressing matter. No action was taken.

- Old Business: Chairman Jenkins stated he had left full commission public comments on the agenda, but as the commissioner requesting this to be discussed was not present he was removing it from next month's agenda. He asked if there was any discussion and Dr. Acuff stated he would like to have the person commenting be recognized by a commissioner in their district before taking the floor. The County Attorney stated Public Comments were just that, "comments" and should not be a question and answer session. No action was taken.

Chairman Jenkins stated there had been no action on the reapportionment/census matter. He said they were still waiting on information from the census and would give us a presentation as to what the county needs to do going forward. Chris Schuettler stressed the importance of everyone complying with the census requirements as money for schools, roads, federal, local and many charities would be affected by the accuracy of the 2020 Census.

Chairman Jenkins stated the full commission had approved the national motto "IN GOD WE TRUST" to be posted at the courthouse and would be placed there as soon as a framed copy was acquired.

Chairman Jenkins stated they had been unable to secure a tablet to "test drive" in their effort to have the county commission go digital. There was much discussion of the pros and cons of the tablet usage. At the suggestion of Chairman Jenkins, motion was made by Aaron Frazier, seconded by Robert Acuff to start the process by setting up e-mails at approximately \$40 a piece and presenting to the Budget Committee the necessary budget request for funding the costs next year. By roll call vote as follows, motion carried.

Robert Acuff	aye	Mike Hill	aye
Ronnie Trivett	nay	Jerry Proffitt	nay
Layla Ward	aye	Randall Jenkins	aye
Aaron Frazier	aye	Rick Richardson	aye

Josh Hardin, County Attorney, explained the county adopted a HIPAA policy in 2014 and as yet it was not included in the County Employee's Handbook. On recommendation of the County Attorney, motion was made by Robert Acuff, seconded by Mike Hill to include the HIPAA policy in the handbook. By voice roll call vote, motion carried.

Robert Acuff stated the Financial Management Policies/Procedures manual was also in need of an update. He stated it needed to be brought before the Financial Management Committee who in turn could request the Finance Department to provide an updated manual.

In an effort to resolve future committee scheduling conflicts, Chairman Jenkins stated the committee meeting scheduling procedure to be added to the committee handbook would be in the commissioner's packet for the February meeting.

On motion by Mike Hill, seconded by Aaron Frazier the meeting was adjourned.

Respectfully submitted,

Suzi Wallace

Approved for entry:

Randall Jenkins, Chairman

*Proposed
change to
Commissioner
handbook*

district, or if no majority vote of the full Board can be reached to confirm their decision, the full Board shall recommend and vote on the committee appointments within said district.

- C. COMMITTEE STRUCTURE: Each committee shall meet in October of each year and elect from its membership a chairman and vice-chairman. The election of Secretary shall be optional in the absence of a specific mandate of the Board. However, meeting minutes must be reduced to writing and provided to the full Board each month.
- D. COMMITTEE MEETING SCHEDULE: At the November committee meetings of every year each committee chairman shall schedule the meeting dates for all of the following year's regular committee meetings and turn the dates in to the Chairman of the Rules & Bylaws Committee by December 1st so that all scheduling conflicts may be resolved.
- E. PRESENTATIONS TO THE BOARD: The committee chairman shall report to and confer with the Board Chairman on all pertinent matters to be presented at the next meeting of the full Board.
- F. LEGAL COUNSEL: The chairman of each committee shall consult with the County Attorney on matters appearing to warrant legal evaluation prior to presentation to the Board.
- G. JURISDICTION: Should questions arise as to jurisdiction of any committee, it shall be referred to the Board Chairman and/or to the County Attorney for determination, subject to an appeal to the Board at its next regular meeting.
- H. BOARD PRESENTATIONS: The following procedure shall be followed pertinent to committee reports and related action:
 - 1. The committee chairman or a member designated by the chairman shall make the presentation in an open meeting of the Board.
 - 2. Upon completion of a report the speaker shall yield to questions.
 - 3. There shall be a vote on any committee resolutions when debate is complete and when there is a call for the question by the Board.
- I. CALL OF COMMITTEE: If for any reason the chairman of a committee fails or refuses to call a regular meeting, the Chairman of the Board of County Commissioners, or a majority of the committee members may do so.
- J. BUDGET COMMITTEE: Budget matters shall be referred to the County Budget Committee as provided for by the Financial Management Act of 1981.
- K. COMMITTEE REPORTS: Committees will prepare written reports of committee meetings.

Proposed addition to the County Employee Handbook

Policy of Privacy Practices under the Federal Law for Protected Health Information

Scope of Policy

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) regulates how protected health information is handled. These Privacy Practices were written by Carter County as a result of HIPAA. These practices apply to Carter County Government, its elected officials, department heads, employees, and volunteers. Each elected official, department head, employee, or volunteer will be provided a copy of the privacy practices upon approval or at the time of hire whichever should occur first.

Carter County is committed to protecting the privacy of information that may be gathered as a part of conducting business. Protected Health Information (PHI) means individually identifiable health information, as defined by HIPAA, that is created or received by Carter County that relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provisions of health care to an individual, and that identifies the individual or for which there is a reasonable basis to believe the information can be used to identify the individual. This includes information of persons living or deceased.

Use and Disclosure of PHI

Except as outlined herein, Carter County will not use or disclose your PHI for any purpose unless you have given written authorization for the use or disclosure. You have the right to revoke that authorization in writing at any time except as to cases where action has already been taken under previous authorization.

Carter County is permitted or required by law to use and disclose your PHI, in certain cases, without your authorization. Carter County may disclose your PHI for any purpose required by law, and for example:

1. We may disclose your PHI for public health activities, such as required reporting of disease, injury, death, and for required public health investigations;
2. We may disclose your PHI as required by law if we suspect child abuse or neglect, we may also release your PHI as required by law if we believe you to be a victim of abuse, neglect, or domestic violence;
3. We may release your PHI under a group Health Plan to your sponsor, provided, however, your plan sponsor must certify that the information provided will be maintained in a confidential manner and not used for other employee benefit determinations or in any other manner not permitted by law.
4. We may disclose your PHI if required by law to a government oversight agency conducting audits, investigations, or civil or criminal proceedings;
5. We may disclose your PHI if required to do so by a court or administrative order, subpoena, or discovery request; in most cases you will have notice of such release;
6. We may disclose your PHI to law enforcement officials as required by law to report wounds, injuries, and crimes;

7. We may disclose your PHI to coroners, and/or funeral directors consistent with law;
8. We may disclose your PHI if necessary, to arrange an organ or tissue donation from you or a transplant for you;
9. We may disclose your PHI for certain research purposes but only as permitted by law;
10. We may disclose your PHI if you are a member of the military as required by armed forces services; we may also disclose your PHI if necessary for national security or intelligence activities; and
11. We may disclose your PHI to workers' compensation agencies, if necessary, for your workers' compensation benefit determination.

You have the right to copy and/or inspect much of the PHI that Carter County retains. All requests for access must be made in writing and signed by you. We may charge you a fee for copying and postage and for preparing a summary of the requested information if you request a summary. Access request forms are available at the Director of Finance's Office. You also have the right to request restrictions on certain uses and disclosures of your PHI by Carter County. You may also terminate in writing any agreed to restriction.



Carter County Government
 801 East Elk Avenue
 Elizabethton, TN 37643

AUTHORIZATION TO RELEASE HEALTHCARE INFORMATION

Employee's Name: _____ Date of Birth: _____

Previous Name: _____ Social Security #: _____

I request and authorize _____ to
 release healthcare information of the employee named above to:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

This request and authorization applies to:

Healthcare information relating to the following treatment, condition, or dates: _____

All healthcare information

Other: _____

I request and authorize an amendment to a previous authorization by the changing the following:

Information authorized for release: _____

Person authorized to release to: _____

I request to terminate the previously authorized release agreement dated _____.

Employee Signature: _____ Date Signed: _____

Finance Department Date Received by Signature: _____ Received: _____