

DISCIPLINARY PROCESS

Workforce Disciplinary and Performance Management Policy

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1. Purpose and Scope

This Disciplinary Process Policy establishes a fair and consistent approach to addressing workforce performance issues, policy violations, and HIPAA-related misconduct. It applies to all employees, contractors, and temporary staff. HIPAA §164.308(a)(1)(ii)(C) requires covered entities to implement a sanctions policy for workforce members who fail to comply with security policies.

2. Progressive Discipline Steps

Step 1: Verbal Warning

A verbal warning is issued by the individual's direct manager for minor first-time infractions. A written summary is placed in the employee file. The individual receives coaching and clear expectations for correction.

Step 2: Written Warning

A written warning documents the violation, prior counseling, expected corrective action, and timeline for improvement. The individual must acknowledge receipt. A performance improvement plan (PIP) may accompany this step.

Step 3: Final Written Warning or Suspension

If behavior continues after a written warning, a final written warning is issued, or the individual may be suspended without pay for 1-5 business days pending investigation. Final warnings specify that termination is the consequence of continued violation.

Step 4: Termination

Termination occurs when prior steps fail to produce correction, or when the severity of the violation warrants immediate termination.

3. Immediate Termination Offenses

The following violations warrant immediate termination without progressive discipline:

- Intentional unauthorized access to or disclosure of PHI
- Sharing login credentials or impersonating another user
- Theft of Company property or assets
- Harassment, assault, or workplace violence
- Falsification of records, timekeeping, or credentials
- Serious violations of HIPAA resulting in significant PHI exposure
- Criminal conduct related to employment

4. HIPAA Violation Sanctions

HIPAA violations are subject to the following sanctions based on severity:

Violation Type	Example	Sanction
Accidental / unintentional	Misdirected email with PHI	Retraining + written warning
Negligent	PHI disclosed without verifying authorization	Written warning + PIP or suspension
Deliberate – personal curiosity	Accessing records of known patient without need	Final warning or termination
Deliberate – financial gain	Selling PHI to third party	Immediate termination + law enforcement
Systemic / repeated	Recurring policy non-compliance	Termination

5. Appeals Process

Employees may appeal disciplinary decisions within 10 business days by submitting a written appeal to the CEO or Security Officer. Appeals are reviewed within 15 business days. The decision on appeal is final.