

*Kingman County  
Kansas  
Personnel Policy Manual*

Policy #10  
Employee Records

Commission Approved  
Date: 4-27-2015

## **10 Employee Records**

- 10.1** It is the policy of Kingman County to comply with applicable Federal and State law regarding the custody and maintenance of County employee personnel records and to the confidentiality of such employee records. The Clerk's Office shall establish and maintain secured employee personnel record files in written or electronic form for each full-time and part-time employee and such file shall include the employee's application for employment, resumes, payroll information, non-medical employee benefit information and similar records. A separate file shall be maintained for each employee's medical and medical employee benefit records.
- 10.2** Any employee personnel records maintained in electronic format shall be limited to the employee's name, address, telephone number, job description, salary, and any personnel actions with effective dates, and personal leave that is earned and used.
- 10.3** The Human Resource Administrator will establish and maintain secured records of each employee's performance reviews and evaluations and information regarding any applicable disciplinary actions.
- 10.4** To the extent permitted by law the confidentiality of employee personnel records shall be maintain. However, some records are required to be open to public inspection under the Kansas Open Records Act (KORA) or are permitted to be open under KORA in accordance with County policies. Employees who have access to employee personnel records shall not release or discuss the information except pursuant to a written request and in accordance with the KORA.
- 10.5** Availability of the Employee Records: **A.** An employee may review the employee's personnel records by contacting the Human Resource Administrator. **B.** Department Head may review the departmental employee personnel records by contacting the Human Resource Administrator. **C.** The Human Resource Administrator is the only County employee authorized to have direct access to any of the files. **D.** The Board of County Commissioners may review an employee's personnel record by contacting the Human Resource Administrator. **E.** Anyone else must have written permission from the employee or be accompanied by the employee.
- 10.6** The Employee Records cannot be removed from the County Clerk's Office. The County Clerk's Office shall maintain a record to document access to employee personnel records including the identity of the person afforded such access and the date thereof and the employee personnel records inspected.
- 10.7** **The Health Insurance Portability and Accountability Act (HIPPA)** requires employers to protect the privacy of employees' personal health-related information by designating an in-house privacy official (Human Resource Administrator) and adopting a policy to keep this information private, and notifying employees of their privacy rights. The Clerk shall establish and maintain secured and confidential individual medical files for all employees. The only persons who shall have access to

the medical information are: **A.** Human Resource Administrator, County Clerk, Payroll Clerk; **B.** Department Heads who contact the Human Resource Administrator only to the extent of needing to determine the necessary restriction of or accommodation needed for an employee; **C.** The Internal Auditor for information related to Workers Compensation and to coordinate health and dental insurance plan accounting; **D.** Government Officials investigating compliance with the law; **E.** and the employee, if requested, as provided in the HIPPA.

The following is considered "personally-identifiable health information" and is considered to be personally identifiable if it relates to a specifically identifiable individual whether in electronic, paper, or oral format:

1. Health care claims or health care encounter information, such as documentation of doctor's visits and notes made by physicians and other provider staff;
2. Health care payment and remittance advice;
3. Coordination of health care benefits;
4. Health care claim status;
5. Enrollment and disenrollment in a health plan;
6. Eligibility for a health plan;
7. Health plan premium payments;
8. Referral certifications and authorization;
9. First report of injury;
10. Health claims attachments;
11. Health care electronic funds transfers (EFT) and remittance advice; and
12. Other transactions that Health and Human Services (HHS) may prescribe in future regulations.

- 10.8** Department Heads whose employees request personal medical health information shall direct them to the Human Resource Administrator.
- 10.9** Each Department Head or elected official may maintain files relating to County employees for their personal use and convenience but such files shall not include any medical or other information required to be confidential under State or Federal law. Any such file maintained by the Department Head or elected official shall be kept in a secure manner and be accessible only by said Department Head or elected official.
- 10.10** Employees personnel records shall not be provided nor shall any such records be permitted to be inspected by any person who is not an authorized County employee except in accordance with the KORA.
- 10.11** Employees shall promptly notify the County Clerk of any changes in the employee's legal name, address, or telephone number.