

# **North Texas Municipal Water District**

## **Administration Policies Manual**

**Adopted September 2023**

**TABLE OF CONTENTS**

**SECTION 1. RECORDS MANAGEMENT POLICY ..... 1**

**SECTION 2. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT  
(HIPAA) ..... 2**

**2.1. Purpose..... 2**

**2.2. Definitions..... 2**

**2.3. Protected Health Information..... 2**

**2.4. Complaint Procedure..... 3**

**SECTION 3. HANDGUN POLICY ..... 4**

## **SECTION 1. RECORDS MANAGEMENT POLICY**

All NTMWD records shall, at a minimum, be retained in accordance with the Texas State Library and Archives Commission (TSLAC) schedules, whether electronic or hard copy.

The Board of Directors shall appoint a Records Management Officer to ensure that the maintenance, storage and disposition of NTMWD records are carried out in accordance with the requirements of the Texas Local Government Records Act, the requirements of the Texas State Library and Archives Commission, and the directives and procedures of the NTMWD. Each NTMWD department shall appoint a Records Liaison Officer who will be thoroughly familiar with all records created by that department and will work with the Records Management Officer to properly implement this Policy for that department.

The ED/GM will create procedures in the form of an Administrative Directive to provide instructions and procedures to be followed by employees of NTMWD for efficient, economical, and effective controls and processes for the creation, distribution, organization, maintenance, use and disposition of all Records, from their creation to their ultimate disposition, consistent with the Local Government Records Act and accepted records management practices. All Records shall be created, maintained and disposed of in accordance with that Directive.

Please refer questions about the detailed Records Management procedures to the Records Management Officer.

## **SECTION 2. HIPAA**

### **2.1. Purpose**

The purpose of this policy is to ensure that NTMWD, a Covered Entity under the federal Health Insurance Portability and Accountability Act (HIPAA), is in compliance with the Act.

### **2.2. Definitions**

Business Associate: A person or entity that performs a function that requires the creation, use or disclosure of PHI for a Covered Entity and is not considered part of the workforce.

Covered Entity: A Group Health Plan that provides or pays the cost of medical care; a health care clearinghouse; or a healthcare provider. NTMWD is considered a Covered Entity.

Group Health Plan: An employee welfare benefit plan as defined by the Employee Retirement Income Security Act (ERISA), including insured and self-insured plans that pay for items and services for medical care for employees and/or their dependents directly through insurance, reimbursement or that otherwise has 50 or more participants or is administered by an entity other than the employer that has established and maintains the health plan.

Health Insurance Portability and Accountability Act (HIPAA): Federal law that, in part, protects both an individual's rights to keep and/or transfer his/her health insurance when moving from one job to another, and the privacy of the individual's Protected Health Information.

Privacy Officer: Individual responsible for the development and implementation of policies and procedures necessary for HIPAA compliance. This individual is responsible for providing information and handling the administration of request for records. The ED/GM or his/her designee shall serve as the Privacy Officer for NTMWD.

Protected Health Information (PHI): Health information that contains unique features or details that allow an individual to be identified.

### **2.3. Protected Health Information**

The following items have been identified as PHI and are maintained by the Privacy Officer:

- Health Insurance Enrollment Applications
- Insurance Claims Reports

The following items have been identified as PHI and are maintained by the Business Associate:

- Health Insurance Enrollment Applications
- Explanation of Benefits (EOB's) as provided by the Employee
- Other items as provided by the Employee

All identified PHI will be maintained in secured files located in the Human Resources Department. Access to these files will be limited to the Privacy Officer and other Human Resources and Accounting personnel that may, from time to time, have access on a must-need basis. NTMWD will not accept

explanation of benefit forms or medical bills from employees or family members of employees. Such information is to be directed to the Business Associate for assistance with payment concerns.

NTMWD may disclose information about an employee in response to a court proceeding, in response to a subpoena or other legal process. Information may be accessed for business legal requirements, e.g., situations regarding child support or by the expressed written consent of the employee.

#### **2.4. Complaint Procedure**

Complaints of potential violations of this policy should be forwarded to the Privacy Officer. The Privacy Officer will follow the Complaint Procedure as outlined in the NTMWD Personnel Policy Manual to resolve all conflicts. Any questions regarding this policy should be directed to the Privacy Officer.

### **SECTION 3. HANDGUN POLICY**

It is the policy of the North Texas Municipal Water District (“NTMWD”), in accordance with Texas Penal Code 46.02, 46.03 and 46.04, to allow the holder of a valid handgun license or unlicensed carrier to carry his or her weapon in buildings or portions of a building owned or occupied by NTMWD which are open to the public, if the weapon is concealed or carried in a shoulder or belt holster, except that such person shall not be allowed to carry a handgun into a room where an Open Meeting subject to Chapter 551 of the Texas Government Code is being held (Public Meeting).

A Public Meeting is a meeting which had been posted under Section 551 of the Government Code at which a quorum is present whether the meeting is held in a room on NTMWD premises or at another location and includes:

- A meeting of the Board of Directors.
- A meeting of a Committee of the Board of Directors
- A public hearing, workshop or training session at which the Board of Directors is present.
- Any other meeting involving the Board of Directors properly posted and conducted under Chapter 551 Texas Government Code.

The proper signage will be posted advising the public of this policy.

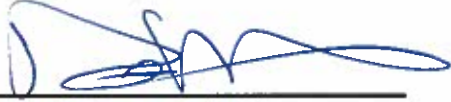
In accordance with the Texas Penal Code and as adopted in Section 2.11 of NTMWD’s “Personnel Policy Manual” NTMWD employees, including contract and temporary employees, are prohibited from carrying a weapon outside their personal vehicle while in the course and scope of performing their job for NTMWD, or while attending any NTMWD sponsored function, whether or not they are on the NTMWD’s property at the time. NTMWD employees may store a firearm or ammunition they are lawfully entitled to possess in a locked privately owned vehicle in the District parking lot as set forth in Section 2.11 of the NTMWD Personnel Policy Manual. Employees of contractors or subcontractors lawfully entitled to possess a handgun who enter on to NTMWD property are prohibited from carrying a weapon outside their vehicle and shall keep all firearms and ammunition in a locked vehicle while on NTMWD property.

This policy does not restrict the ability of police officers, deputy sheriffs, Texas Parks and Wildlife Department agents or other State, Federal or local enforcement or security guards to lawfully carry a weapon on NTMWD premises including in rooms where Open Meetings are being held, whether said rooms are on NTMWD Premises or at another location.

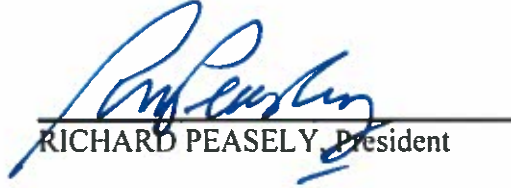
Nothing in this policy authorizes access to any portion of NTMWD property by a licensed or unlicensed handgun holder where public access is otherwise prohibited or restricted for health, safety or security reasons or as provided by NTMWD policy, Federal or State Law.

## ADOPTION BY BOARD OF DIRECTORS

The Administration Policies in this Manual have been established and adopted by the Board of Directors of the North Texas Municipal Water District, in a Regular Meeting of the Board, on this 28th day of September 2023, and attested to by the signature of the President and Secretary, as indicated below.



DAVID HOLLIFIELD, Secretary



RICHARD PEASELY, President

