

# HOUSE OF DELEGATES TOOL KIT



NEW YORK HEALTH INFORMATION MANAGEMENT ASSOCIATION

# NYHIMA HOUSE OF DELEGATES TOOL KIT

## WELCOME

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Dear Delegate,

On behalf of NYHIMA BOARD OF DIRECTORS, we welcome and congratulate you on your recent appointment to the NYHIMA House of Delegates (HoD). The first president of NYHIMA was elected in 1935. As a delegate, you have an important role in guiding and governing the health information management (HIM) profession and are assuming a critical role for NYHIMA and your Component Local Association (CLA).

To help get you started, we have included a brief checklist of items and events you should be aware of for the weeks ahead:

Things To Do:

- Complete the on-line Conflicts and Dualities of Interest and Confidentiality and Non-Disclosure Agreement Form. The on-line form will be available through NYHIMA website and an attachment you will receive from NYHIMA Central Office. All delegates are required to complete this form before you begin volunteering. It is very important for you to understand that you will be responsible for evaluating situations in which you may find yourself representing multiple interests.
- Subject Matter Expertise (SME) Data Collection Form. Look out for an SME Data Collection survey to be sent by NYHIMA Central Office. The data collected will be used when we form task forces, invitation to be a speaker and other volunteer groups. It is important for you to complete this form. Your expertise and interests will help us connect with volunteer opportunities for specific HIM issues.
- NYHIMA –Delegate Profile. Fill out and bring this profile with you to the House of Delegates. Turn it in when you check in at the House of Delegates Registration table

We wish you great success in your role and we thank you for your time and commitment to the HIM profession. We look forward to working with you this year!

Michele Bohley, RHIA, CCS  
President and Chair

# NYHIMA HOUSE OF DELEGATES TOOL KIT

## PURPOSE OF THE TOOLKIT

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The NYHIMA House of Delegate Tool Kit is a resource to provide easy access to the most current and relevant information a delegate will need to prepare for his/her role as delegate. This tool kit has been developed to help you as delegates/alternates understand the delegate role and provide the resources delegates need to prepare and carry out that role.

## BECOME A DELEGATE

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Delegates are elected or appointed by your respective local members or leaders as the case maybe. You serve as a vital communication and membership link between NYHIMA and its members. A delegate represents his/her Component Local Association (CLA) in the House of Delegates (HOD) and related activities, informs the CLAs and members of timelines, and expresses the desires of the members through voice and vote in the HOD.

These leaders help keep our profession strong and moving forward by contributing or recommending action on issues affecting the industry and ensuring the voice of the member is heard.

It is suggested that a potential delegate read the entire toolkit and all relevant documents linked to this toolkit, in order to make a knowledge-based decision to commit to the time and work necessary to fill this important role.

## QUALIFICATIONS (*at a minimum*)

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- Active member of NYHIMA and CLA
- Knowledgeable and experienced HIM professional
- Demonstrates leadership and promotes advocacy
- Accessible to communicate via phone, conference call or email
- Available and active when needed

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### DESIRED ATTRIBUTES

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- Understanding of NYHIMA, the profession, and the industry
- Possesses critical and strategic thinking skills
- Communicates with and engages members
- Presents a professional image and has high ethical standards

### APPORTIONMENT

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#### NYHIMA HOUSE OF DELEGATES

- Election Delegates to the NYHIMA House shall be identified by the members of each local association.
- These active members must have paid AHIMA, NYHIMA and local association dues prior to their selection as a delegate.
- Each local association of ten active members or less shall be entitled to one delegate.
- Local associations of more than ten active members shall be entitled to one additional delegate for each additional ten active members or major portion thereof, but no local association shall be entitled to more than ten delegates.
- The apportionment of delegates shall be based on active membership in good standing of AHIMA and NYHIMA as of the close of business on December 31, those active members in good standing having paid AHIMA and NYHIMA dues by that date. When allowed by the apportionment count, the President and President-Elect of each local shall be automatic delegates.

### MEETINGS

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- An Annual Meeting of the House of Delegates shall be held in conjunction with the annual meeting of NYHIMA whenever possible.
- The Board of Directors shall determine the time and place of an Annual Meeting.

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- The date, time and method of other meetings, if any, shall also be determined by the Board of Directors or by a simple majority of the House of Delegates.
- The House of Delegates shall take advantage of technological resources available to NYIMA to facilitate communications and meetings throughout the year.

### OFFICIAL CALL

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- Written notice stating the place, day, and hour of any meeting of the House of Delegates shall be provided to the members of the House of Delegates not less than five (5) or more than sixty (60) business days before the date of the meeting.
- Notice of meetings of House of Delegates committees or other bodies shall be provided to their members not less than three (3) business days before the date of the meeting.

### COMPOSITION

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- The House of Delegates shall be composed of the delegates from among the membership determined in accordance with NYHIMA By-Laws Section 8.6.
- Each member of the House of Delegates shall have one vote on matters before the House of Delegates that require a vote and no proxies shall be permitted. Members of the Board of Directors of NYHIMA shall also be voting members of the House of Delegates.

### POWERS AND DUTIES

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The House of Delegates shall have primary responsibility and authority for establishing the position of NYHIMA and taking action on the following matters:

- The standards governing the health information management profession, including:
  - Standing rules of the House of Delegates
  - Development of positions and best practices in health information management

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- Any other matters put before the House of Delegates by the NYHIMA Board of Directors for final consideration and action.

### QUORUM AND MANNER OF ACTING

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- Delegate representation from at least a majority of the component local Associations shall constitute a quorum for the House of Delegates.
- The affirmative vote of a majority of the delegates present and voting at a meeting at which a quorum is present shall be necessary for the adoption of any matter to be acted upon or to be recommended to the NYHIMA Board of Directors unless otherwise required by law or in these Bylaws.
- Any requests from among the delegates for discussion of or action on new business shall be made to the President/Chair in writing at least thirty (30) business days prior to any meeting of the House of Delegates at which such business would be proposed.
- The Board of Directors may propose new business to the House of Delegates without prior notice. In the event new business is presented by a delegate at a meeting of the House of Delegates without at least thirty (30) business days prior written notice, the affirmative vote of two-thirds (2/3) of the delegates present and voting shall be required to take up the new business and to pass any such new business items.

### DELEGATES POSITION DESCRIPTION

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#### HOUSE OF DELEGATES PARTICIPATION

- **Purpose**

Each delegate represents their Local members at the NYHIMA House of Delegates held at the Annual Conference. This representation includes participation at issue forums and the business meeting.

- **Scope of Responsibility**

- Delegates should remain informed on all issues that will be presented to the House of Delegates through conference calls, written and electronic communications, and others.

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- Seek out member opinions on all issues prior to attendance at the House of Delegates.
- Use their own good judgment in collaboration with other delegates when voting, keeping the wishes of their constituency and the best interests of the association in mind.
- **Specific Duties and Responsibilities**
  - Solicit input and feedback from local membership on issues impacting Health Information Management and the New York Health Information Management Association.
  - Coordinate with the NYHIMA Legislative Director any bylaw amendments or HIM practice resolutions at the Local level for submission to NYHIMA.
  - Follow the basic principles of parliamentary procedures as set forth in Robert's Rules of Order and Modern Parliamentary Procedure.
  - Familiarize self with all documents presented by NYHIMA in the Delegate Packet prior to attendance at the Annual Conference.
  - Represent and vote on behalf of the Local membership at the NYHIMA House of Delegates meeting.
  - Prepare a report of the NYHIMA House of Delegates for the Local membership and/or Local Board of Directors as requested.
  - Communicate provisions made mandatory by the House of Delegates of NYHIMA to the Local Association bylaws representative so that s/he can file an approved copy of said Bylaws with the NYHIMA Central Office by June 30 of the second year following adoption.
  - Transition with incoming delegates and transfer delegate procedural manual and/or necessary information for continuity of upcoming issues facing the House of Delegates.

## ROLE AND RESPONSIBILITY

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### DELEGATE ROLE AND RESPONSIBILITY

Delegates work virtually, year-round, advocating for the profession, the members, and the Association. With a special focus on governing the profession,

## **NYHIMA HOUSE OF DELEGATES TOOL KIT**

role activities will consist of participating in debate and discussion, conducting environmental scanning, advocating for the profession, and vetting professional practice content. A delegate is responsible for attending and participating in meetings virtually and in-person at the Annual HoD meeting prior to the NYHIMA Annual Conference. A delegate is also responsible for casting informed votes and ensuring his/her CLA is processing recommendations according to policy.

The role of delegate is to govern the HIM profession. This is done by performing the following activities:

- Advocates for the profession, the members, and the Association
- Communicates, seeks feedback and informs the membership on NYHIMA and HoD activities
- As outlined in the Bylaws:
- Approves the standards governing the profession
- Vets professional practice content
- Conducts environmental scanning
- Serves as a communication and membership link between AHIMA and its members
- Contributes or recommends action on issues affecting the HIM profession
- Facilitates for the voice of the member
- Votes on important matters pertaining to the House of Delegates
- Participates in meetings:
- CSA and/or local meetings and Board meetings
- Spring Leadership Conference call
- Annual House of Delegates Meeting

### **ROLE OF THE NYHIMA BOARD OF DIRECTORS IN THE HOUSE OF DELEGATES**

Members of the NYHIMA Board of Directors participate in the NYHIMA House of Delegates as delegates. The Board's primary responsibility is governing the association with fiduciary oversight for NYHIMA. The Board is not representing his/her home CLA when serving in the HoD as a Board member. He or she, is elected by the NYHIMA membership, and is acting on behalf of the entire NYHIMA membership whereas the HoD is acting on behalf on their CLA members. The Board's participation is important in ensuring the HoD, as a unit with NYHIMA, is working in a coordinated effort with the association and in alignment with the NYHIMA strategy.



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### ROLE OF THE ALTERNATE DELEGATE

Members of the NYHIMA House of Delegates serve as the primary link between NYHIMA and its members. The delegate is a key source of information on activities, programs, and policies of NYHIMA. Therefore, when the delegate is unable to fulfill his/her responsibilities, an alternate delegate should assume those responsibilities in the delegate's absence. The qualifications and responsibilities of the alternate delegate are the same as identified for the delegate.

### NYHIMA RULES FOR THE HOUSE OF DELEGATES

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- Component Local Associations in compliance with the NYHIMA Bylaws and provisions made mandatory by the House of Delegates shall be entitled to seat a delegate.
- The Credentials Officer shall report the number of seats to the House of Delegates by a roll call of delegates at the call-to-order.
- Procedures for a roll call vote if necessary: When the Credentials Officer calls the delegate's name, the response is YES, NO, or PASS. The Chief Teller shall announce the result of votes by roll call.
- Conference attendees who are not delegates may attend the House of Delegates meeting, except when the house is in executive session. Only delegates may make motions, vote and debate.
- All cell phones and audio devices shall be on silence.
- Delegates and other speakers shall address the chair, stating their name and Component Local Association to be recognized and in debate shall state their position, for or against.
- Delegates shall be recognized before other speakers.
- Speakers shall use the microphones.
- Debate shall be germane to the motion, and the chair shall alternate between the pros and cons.
- Speakers in debate shall be limited to two minutes.
- No one may speak a second time until all who wish to speak have spoken.
- Main motions and resolutions shall be in writing and signed by the maker.
- The ballots shall be destroyed upon adjournment of the meeting declaring elections.
- Delegate's Forum: If a Delegate Forum occurs, the purpose of the Delegate's Forum shall be to encourage the free exchange of ideas on

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defined topics of interest, to engage and encourage open dialogue without bias and to acquire feedback/input.

- Board of Directors shall select at least three topics for discussion.
- Delegates shall be randomly assigned to the discussion groups.
- Each group shall be facilitated by an assigned Local Leader who is not a NYHIMA Board member.
- Up to thirty minutes shall be allotted for discussion.
- Up to thirty minutes shall be allotted for reports from each group.
- The reports shall be included as an attachment to the minutes.

## RAPID RESPONSE NETWORK

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### RAPID RESPONSE NETWORK PARTICIPATION

#### Purpose

To provide a grass roots advocacy network for a rapid response to urgent legislative issues, whether state or national, that affect the members of the New York Health Information Management Association. The notification of members is anticipated to create dialogue between members and their representatives.

#### Development of Network

- The Legislative Director (Chair of the Legislative Committee—hereafter referred to as the Chair) coordinates the Rapid Response Network (RRN).
- The members of the Legislative Committee (one from each Local) are the key contacts for the RRN with the **Delegates** from each Local Association being the contacts in each Local.
- The Chair will obtain a list of national and state senators and representatives, including their names, addresses, telephone numbers and email addresses.

#### Procedure

- The Legislative Director or Central Office would be notified of any new legislation that is introduced. Notification may come from the AHIMA Washington office or notification by an individual or group to the Central Office.

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- Research will be done on the bill to determine the recommendation of the Board regarding support or opposition to the bill. A statement of support or opposition will be prepared.
- The Director will notify the members of the Legislative Committee of the impending legislation.
- A copy of any information regarding the bills will be faxed or emailed by the Legislative Director or Central Office to the Legislative Committee members.
- The Legislative Committee representative from each Local will contact each of the **Delegates** from their Local or develop a phone tree system, if desired.
- Each Local is responsible for keeping their lists of Delegates up to date with correct demographic information.
- The Legislative Director, the members of the Legislative Committee, members of the RRN, and all members notified will all contact their respective legislator.

**Note:** *The RRN may be activated as needed by the Board, Legislative Director, or Central Office to provide input and advocacy for pending legislative, strategic and operating issues.*

## DELEGATE'S TIMELINE

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### YEAR-ROUND ACTIVITIES

#### **Update your NYHIMA profile**

It is critical that NYHIMA has your most up-to-date contact information. In order to communicate with you, please verify we have your preferred e-mail address on file, to ensure you do not miss out on any important meeting or activity information throughout the year. [Click here to update or verify your current e-mail address and other Profile information.](#)

#### *Become a member of the State Leaders and House Community*

Stay up-to-date on the NYHIMA Engage information on the AHIMA Component State Association (CSA). This community is the key tool for discussion and collaboration, networking with fellow colleagues, and sharing of information, resources, and events.

## NYHIMA HOUSE OF DELEGATES TOOL KIT

### Accessing CSA Resources

As you review this toolkit, keep in mind that your CLA may have additional resources, policies and procedures or training materials to help you understand your role. It's likely your CLA has specific expectations of you – you will want to find out about these early. Consider partnering with an experienced delegate in your CLA or someone who has recently served in the role of a delegate. A “delegate buddy” can be very helpful.

### CLA's SUPPORTING DELEGATES

CLAs need to support delegates in their important role. CLA members should be aware of issues and take the responsibility to provide input and feedback to their delegates on issues. As well, CLAs need to ensure delegates fully understand their role. CSAs should have policies, procedures and a position description available to delegates. Providing new delegates a sample process for obtaining member input can help ensure delegates have the tools to be successful. While CLA's need to support delegates, delegates have a responsibility to fulfill expectations and carry out required duties. A key role of the delegate is to communicate with members on important issues. This includes educating members on issues and engaging in thoughtful dialogue on both sides of an issue.

### MEETING SCHEDULE

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- Attend special meeting/or participate in telephone conference calls with Local Board of Directors and other elected Local Delegates. This may be held prior to the NYHIMA Annual Conference for discussion of NYHIMA House of Delegate materials, at a time and place to be determined by the Local President.
- Attend NYHIMA spring conference call, if possible, to learn about Delegate issues.
- Attend NYHIMA Annual Conference House of Delegates

### RESOURCES

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#### Glossary of Terms

Below is a list of commonly used terms and their definitions along with common acronyms. Take a moment and become familiar with each term and acronym.

AHIMA – American Health Information Management Association

Action Item – Item that requires a vote by the House of Delegates. Examples of action items include the annual Nominating Committee election, motions, amendments to the NYHIMA Bylaws, or motions to adopt resolutions.

Apportionment – Distribution of delegates per component local association. Apportionment for all CLAs is calculated annually by your local leaders in accordance with the NYHIMA Bylaws. The annual calculation of apportionment may result in a slight change in the size of the House of Delegates each year.

Component Local Association (CLA) – The NYHIMA federation is made up of 9 locals within NYS.

Delegate – Individuals elected by a CLA or appointed by a CLA Board of Directors to serve in the NYHIMA House of Delegates, a grassroots member forum, to advance the health information management profession. The directors serving on the NYHIMA Board of Directors are delegates in the House of Delegates and represent all members of NYHIMA in their actions.

Delegate Term – Delegates can locate their specific term length by contacting their CLA leaders or looking in their CLA bylaws or policies and procedures.

Engage - Refers to AHIMA's NEW, online collaboration and networking tool. It is the official community for CSA leaders and the House of Delegates. All delegates will need to join NYHIMA Engage. Engage replaced the AHIMA Communities of Practice (CoP).

Environmental Scan – Process to collect input from CSAs and subject matter experts on trends, priorities or other emerging factors that are influencing or have the potential to significantly impact the health information management profession.

## **NYHIMA HOUSE OF DELEGATES TOOL KIT**

House of Delegates Calendar – The House of Delegates operates on a July 1 – June 30 calendar.

Strategy – Plan of action designed to achieve a particular goal.

Strategic Plan – Defining direction and making decisions on allocating resources to pursue the strategy.

## NYHIMA - 2016 DELEGATE PROFILE

***Dear Delegate***

***Please fill out and bring this profile with you to the 2015-16 House of Delegates. Turn it in when you check in at the House of Delegates Registration table. Thank you for your cooperation!***

### ▼ CONTACT INFORMATION ▼

AHIMA ID# \_\_\_\_\_ Local: \_\_\_\_\_

Name: \_\_\_\_\_

Credential(s): \_\_\_\_\_

My preferred mailing address is listed below:

Is the address above <input type="checkbox"/> Work? <input type="checkbox"/> Home?

Is this alternate address <input type="checkbox"/> Work? <input type="checkbox"/> Home?

Work Phone: \_\_\_\_\_

Home Phone: \_\_\_\_\_

FAX: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Thank you for serving as a Delegate and for taking time to ensure we have correct contact information for you.

## SUBJECT MATTER EXPERTISE DATA COLLECTION FORM

Dear NYHIMA Delegate,

Throughout the year, committees and task forces may be formed that require the specific knowledge and expertise of delegates. In order to ensure task force competence, we ask you to complete this 5 minute subject matter expertise data collection form. Based on your area of expertise, this data may be used in the formation of a task force or committee. **This is required for all delegates to complete.** Kindly answer the following questions on this form to help us better identify delegates best suited for a task force.

Thank you for your time and effort in completing this very important form as we move forward in governing the health information management profession.

### QUESTIONS:

1. Name: \_\_\_\_\_

2. Please indicate your Component Local Association (CLA): \_\_\_\_\_

3. Please indicate your desired level of time commitment to volunteer opportunities. (Mark with an X)

<input type="checkbox"/>	1-3 hours per month
<input type="checkbox"/>	4-6 hours per month
<input type="checkbox"/>	7-9 hours per month
<input type="checkbox"/>	10-12 hours per month
<input type="checkbox"/>	13+ hours per month

4. Please indicate your area (s) of expertise based on the following HIM domains. (Mark with an X)

### Coding, Classification and Reimbursement

<input type="checkbox"/>	Classification System
<input type="checkbox"/>	Revenue Management and Compliance
<input type="checkbox"/>	Reimbursement

### Confidentiality, Privacy and Security

<input type="checkbox"/>	Health Law and Ethics
<input type="checkbox"/>	Data Privacy, Confidentiality, and Security
<input type="checkbox"/>	Release of Information

### Information Governance & Standards

<input type="checkbox"/>	E-Discovery and E-Forensics
<input type="checkbox"/>	Enterprise Information Management
<input type="checkbox"/>	Meaningful Use
<input type="checkbox"/>	Regulatory Requirements & Data Standards
<input type="checkbox"/>	Health Record Content & Documentation
<input type="checkbox"/>	Healthcare Statistics & Research Methods



### **Health Information Technologies & Processes**

	Electronic Health Record
	Clinical Documentation Improvement
	Health Information Exchange
	Data Management & Data Use
	Patient Identity Management
	Disaster Planning & Recovery
	Interoperability
	Information Integrity & Data Quality

### **Health Informatics**

	Analytics
	Decision Support
	Clinical Business Intelligence
	Clinical Terminologies

### **Healthcare Leadership & Innovation**

	Leadership Theory & Change Management
	Work Design & Performance Improvement
	Human Resources, Training & Development
	Strategic & Organizational Management
	Financial Analysis & Planning
	Ethics in Healthcare Management
	Project and Contract Management
	Healthcare Delivery Models
	Reality 2016

### **Consumer Engagement & Personal Health Information**

	Personal Health Records/Personal Health Information
	Patient Portals
	Personal Health Monitoring & Technologies
	Coordination of Care
	Case Management

### **Other (please specify)**


## **NYHIMA CONFIDENTIALITY AND NON-DISCLOSURE POLICY AND PROCEDURE**

**Statement of Policy** This Confidentiality and Non-Disclosure Policy and Procedure provides the standards by which Covered Persons will conduct themselves in order to protect and preserve for NYHIMA the confidentiality, secrecy and proprietary nature of information and matters in connection with the its business and operation, which is of great value to NYHIMA. NYHIMA holds each employee, volunteer to the highest level of integrity and loyalty in the interests of NYHIMA and its members.

“Covered Persons” shall include employees, officers, committee chairpersons, special interest group leaders, liaisons, agents, material fiduciary vendors of NYHIMA, officers and directors of Component Local Associations, and other volunteer leaders.

This Policy and Procedure applies to all covered persons.

### **General Principles**

All Covered Persons are expected to understand that NYHIMA has certain confidential and proprietary information concerning its business and operation, which is of great value to NYHIMA and which represents trade secrets, to which, in order to perform his/her duties, individual covered persons may have access from time to time.

Covered Persons are expected to preserve and protect for NYHIMA the confidentiality, secrecy and proprietary nature of the information and matters in connection with the information, as set forth more fully in the Procedures below.

“Confidential Information” may include books, documents, records, data, facilities, properties, assets and other information relating to NYHIMA, its affiliates and their business and operations, which is not generally known except by NYHIMA. Without limiting the generality of the foregoing, Confidential Information may also include or relate to technology, products and product specifications, inventions, member business and market forecasts, research, development, accounting, finances, marketing and other related information pertaining to the Business. Confidential Information expressly includes the strategic plans and considered business opportunities of NYHIMA and its affiliates or joint ventures. Such information may be contained in any form or medium and may or may not be designated or marked “confidential” or the like.

“Material consideration” shall mean an amount which is not inconsequential under the circumstances and which shall in all events include amounts over \$500.00. It is not intended that fruit baskets, candies, flowers, most meals or drinks, greeting cards, holiday gifts and most “client entertainment” events constitute material consideration.

“Material fiduciary vendor” shall mean any vendor selling services, including professional services, totaling or reasonably expected to total over \$5,000 in any year and who regularly advises NYHIMA on policy matters. Not all vendors of NYHIMA will be material fiduciary vendors.

“Proprietary interest” shall mean any present or anticipatory degree or percentage of ownership, personally or as a fiduciary, or officer or director status, in any applicable business or commercial enterprise, whether incorporated or not, or a salaried or retained advisor relationship with such organization.

### **Procedures**

1. The Covered Persons acknowledge that the Confidential Information is a valuable proprietary asset of NYHIMA and constitutes trade secrets of NYHIMA.

2. The Covered Persons agree that they have a duty to maintain the Confidential Information as confidential and secret. The Covered Person further acknowledges that disclosure of any Confidential Information is made in the strictest of confidence and that the information shall be maintained as confidential and secret and shall avoid the unauthorized disclosure, use, publication, dissemination or other communication of the Confidential Information to any third party, including but not limited to, any affiliated or related entity to the Covered Person.
3. The Covered Persons agree that (s)he will not utilize any of the Confidential Information to the detriment of NYHIMA during their term or tenure, or thereafter.
4. Covered Persons shall not disclose, use, publish, disseminate or otherwise communicate, directly or indirectly, in whole or in part, at any time or in any manner, any Confidential Information without the prior written consent of NYHIMA in each instance; nor shall the covered person permit any of their personnel, agents or representatives do any of the foregoing.
5. Any Confidential Information which a Covered Person acquires or becomes acquainted with may not be reproduced, copied, summarized or removed from NYHIMA's premises without the prior written consent of NYHIMA in each instance.
6. NYHIMA has and shall retain all right, title and interest in and to the Confidential Information and no license or right of any kind or nature in or to the Confidential Information is granted to a Covered Person.
7. Any Confidential Information that is received by a Covered Person shall be immediately returned to NYHIMA when it is no longer required by the covered person, upon the termination of any business relationship between the Covered Person and NYHIMA, or upon NYHIMA's demand at any time.
8. In the event that a Covered Person breaches this Policy and Procedure, NYHIMA shall be entitled to all legal and equitable remedies afforded it by law, and in addition to any and all other forms of relief, NYHIMA may recover from the covered person all reasonable costs and attorneys' fees incurred in seeking such remedy.
9. Covered Persons will be provided with a copy of this Policy and Procedure and be required to complete the Confidentiality and Non-Disclosure Statement (attached) upon hire/appointment and thereafter annually. The Central Office Administrator will be responsible for administering the Annual Disclosure Process. All information obtained on disclosure statements will be held in confidence and released on a need to know basis.
10. Failure to comply with this Policy and Procedure may subject the covered person to disciplinary action that may include termination from their position.
11. Any term or condition of this Policy and Procedure may be waived at any time by the Party or Parties entitled to the benefit, but only by a written notice signed by the Parties waiving such terms or conditions. The waiver of any term or condition shall not be construed as a waiver of any other term or condition of this Policy and Procedure.

### **Revisions**

Amendments, supplements, modifications and revisions may be made at any time, but only in written form. The NYHIMA Board of Directors must approve revisions.

Originally Created: March 2002

Updated and Revised: April 2014 / NYHIMA Board Approval on April 7, 2014

**NEW YORK HEALTH INFORMATION MANAGEMENT ASSOCIATION, INC.**

**Approved Form For Annual Confidentiality Agreement**

Date: \_\_\_\_\_

To the New York Health Information Management Association, Inc. Central Office Administrator:

The undersigned, having a fiduciary relationship (Covered Person) to the New York Health Information Management Association, Inc. (NYHIMA), hereby acknowledge and agree that:

- (a) She/he has read the NYHIMA Confidentiality and Non-Disclosure Policy and Procedure,
- (b) That this Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof, and supersedes all prior oral or written representations and agreements between the parties with respect to the subject matter hereof,
- (c) This Agreement shall be construed, and the rights and liabilities of the Parties hereto determined, in accordance with the laws of the State of New York.

The Parties hereto have executed this Agreement as of the day and year written below:

NEW YORK HEALTH INFORMATION MANAGEMENT  
ASSOCIATION, INC.

BY: \_\_\_\_\_

Print Name: \_\_\_\_\_

NYHIMA Title: \_\_\_\_\_

INDIVIDUAL: \_\_\_\_\_  
signature

Print Name: \_\_\_\_\_

NYHIMA Title: \_\_\_\_\_

Date: \_\_\_\_\_

## NYHIMA CONFLICTS AND DUALITIES OF INTEREST POLICY AND PROCEDURE

**Statement of Policy** This Conflicts and Dualities of Interest Policy and Procedure provides standards by which employees, officers, committee chairpersons, liaisons, special interest group leaders, material fiduciary vendors of NYHIMA, as well as to officers and directors of Component Local Associations as regards their dealings with NYHIMA, and other volunteer leaders (“Covered Persons”) will conduct themselves.

NYHIMA is a not-for-profit corporation and is federally tax-exempt. The Board of Directors of NYHIMA has determined that it is in the best interest of NYHIMA and of the public it serves to have a clear set of procedures to identify and resolve conflicts and dualities of interest which might occur.

### **General Principles**

A *Conflict of Interest* is a personal and proprietary interest on the part of a person having a fiduciary relationship to NYHIMA (or a member of that person’s immediate family, household or business organization) in which the natural pursuit of that interest is or may become in conflict with the financial or business interests of NYHIMA.

A *Duality of Interest* is the presence of two or more sets of fiduciary duties in one person having a fiduciary relationship to NYHIMA (or a member of that person’s immediate household or business organization) which, if pursued conscientiously, will or may cause others to question the ability of the person to discharge those duties faithfully, provided, however, that concomitant service to NYHIMA shall be deemed not to constitute a conflict or duality of interest.

“Material consideration” shall mean an amount which is not inconsequential under the circumstances and which shall in all events include amounts over \$500.00. It is not intended that fruit baskets, candies, flowers, most meals or drinks, greeting cards, holiday gifts and most “client entertainment” events constitute material consideration.

“Material fiduciary vendor” shall mean any vendor selling services, including professional services, totaling or reasonably expected to total over \$5,000 in any year and who regularly advises NYHIMA on policy matters. Not all vendors of NYHIMA will be material fiduciary vendors.

“Proprietary interest” shall mean any present or anticipatory degree or percentage of ownership, personally or as a fiduciary, or officer or director status, in any applicable business or commercial enterprise, whether incorporated or not, or a salaried or retained advisor relationship with such organization.

A philosophical difference of opinion without the other required facts is neither a conflict nor a duality of interest. Conflicts and dualities may reflect adversely upon the integrity of NYHIMA and legality of NYHIMA and upon all persons who are party to an action or transition, regardless of whether the conflict or duality is actual or only apparent and not actual.

Since persons elected and selected to fiduciary positions with NYHIMA are usually active in many related endeavors and it is not realistic to prohibit all conflicts and all dualities of interests, it shall be the established policy of NYHIMA to protect itself by:

- (a) avoiding conflicts and dualities of interest whenever reasonably possible,
- (b) requiring effective disclosure of all unavoidable actual or apparent conflicts or dualities of interest appropriately,
- (c) proscribing certain conduct by Covered Persons when conflicts or dualities of interest exist, and
- (d) establishing a governance review process for routine consideration of whether disclosed conflicts or dualities of interest reasonably require further action, all as set forth herein.

## **Procedures**

1. Disclosures of actual, apparent or even potential or possible conflicts or dualities of interest are appropriate and encouraged whenever they occur or are brought to mind. In addition, the Central Office Administrator of NYHIMA shall distribute disclosure forms and copies of this policy and procedure to all Covered Persons within thirty (30) days following NYHIMA's Annual Conference. The Governance Committee with the assistance of the Central Office Administrator has the duty, together with each director, to educate all those to whom the policy applies of both the need and the procedure for timely and complete disclosures.
2. Disclosures shall be in writing and shall be delivered to the Central Office Administrator of NYHIMA, as applicable. All disclosures shall be announced at the next meeting of the NYHIMA Board of Directors, shall be noted in summarily in the minutes of the meeting and, where thought to be only apparent or possible, shall be so identified.
3. It is the policy of NYHIMA that none of its Covered Persons individually may endorse goods or services on behalf of NYHIMA and that only the Board of Directors may do so expressly by resolution duly adopted pursuant to established criteria. Whenever NYHIMA Covered Persons are placed in a position where, regardless of their intentions, a third party is or appears to be soliciting or implying an endorsement, the most appropriate disclaimer is that the Covered Person's participation is personal rather than representative, that it does not and cannot constitute an endorsement by NYHIMA, and that only NYHIMA's Board of Directors are authorized to issue endorsements by those organizations.
4. Giving an unpaid speech for, submitting an unpaid article to, or serving as an unpaid member of an editorial advisory board for any party shall not, in and of itself, constitute an endorsement, a conflict or duality of interest.
5. Common examples of actual or apparent conflicts of interest are listed but not limited to those below for the consideration of the Covered Person(s):
  - (a) A Covered Person is a stockholder, partner or proprietor of a business which sells videotaping services to NYHIMA for material consideration.
  - (b) A Covered Person is an unpaid director of a business which sells software to NYHIMA for material consideration.
  - (c) A Covered Person is a part-time employee of a business which sells forms, supplies or other materials to NYHIMA for material consideration.
  - (d) A Covered Person, a consultant to a business which sells forms, supplies or other materials to NYHIMA for material consideration, is aware that the business engages in transactions with NYHIMA.
  - (e) A Covered Person receives an honorarium of \$600.00 for speaking on behalf of an organization which is seeking the endorsement of two of its products by NYHIMA.
  - (f) A Covered Person and his/her spouse are taken out to dinner then to the theater, and not charged for an overnight hotel stay or rental car by representatives of a hotel which seeks to host the Annual Meeting of NYHIMA, which Annual Meeting would involve budgetary expenditures of a material amount.
  - (g) A Covered Person receives an expensive piece of jewelry from the engagement partner (with whom he/she is not personally involved) or the law firm which represents NYHIMA.
  - (h) A Covered Person's spouse is a part-time consultant to a consulting firm which bids for a contract with NYHIMA in a material amount.
  - (i) A Covered Person's teenage child is given a summer job by a business which seeks NYHIMA's endorsement for several of its products.
  - (j) A Covered Person, who is also a health care consultant, requests of the program committee for the NYHIMA Annual Meeting that she/he be permitted to speak at the Annual Meeting and distribute materials, and that a competing consultant be dropped from consideration as a speaker.
6. Common examples of actual or apparent dualities of interest are included, but not limited to the list that follows:
  - (a) Service as an officer, director, or paid or unpaid advisor to another not-for-profit organization, whether or not tax-exempt, and including a NYHIMA Component Local Association, which competes with NYHIMA as to revenue sources other than individual membership.

- (b) Service as an officer, director or paid or unpaid advisor to another not-for-profit or governmental organization which competes with NYHIMA's program and mission.
  - (c) Service as an officer, director or paid or unpaid advisor to another not-for-profit organization which co-sponsors programs, publications or products with NYHIMA or which exhibits the availability of its goods or services to NYHIMA events or in their publications.
  - (d) Service in any capacity with or on behalf of any party, regardless of the Covered Person's intent, in which the Covered Person believes that the requested service is to assist the party in obtaining the endorsement of NYHIMA.
7. No person having a conflict or duality of interest as defined herein shall make or second motions or vote other than "present" (abstention) in meetings of the Board of Directors or committee of NYHIMA; provided that this proscription shall not prevent participation in quorum determinations or in debate. Any member of the Board or committee may request that the person having the conflict or duality be excused for a portion of the debate. If the affected Covered Person has only learned of the conflict or duality or has not yet had an opportunity to file a written disclosure form, it is appropriate to declare the conflict or duality at the meeting affected to assure its entry in the minutes and to file thereafter the prescribed disclosure form.
  8. If there is a doubt about whether any disclosed relationship does or does not constitute a conflict or duality, the possibility should be disclosed, and abstention from parliamentary participation thereafter is preferred by this policy.
  9. In all cases involving actual, apparent or even potential conflicts or dualities of interest, it is the intent of this policy that the records of proceedings reflect such concern and that the applicable bodies, whether boards, committees, management groups, or plenary meetings, behave more formally in recognition of the importance of the disclosure.
  10. Whenever a Covered Person raises a question about whether a disclosed relationship does or does not constitute a conflict or duality of interest or whenever the NYHIMA Board of Directors believe that any disclosed or undisclosed conflict or duality should be analyzed in the best interest of the organization, the NYHIMA President, Past President and President-Elect shall investigate the relationship and recommend Board action or inaction with regard thereto. This group shall present its confidential written recommendation for consideration by the Board at its next meeting.
  11. Negligent or intentional violation of this policy and procedure shall constitute grounds for removal or discharge of Covered Person(s) from their position, for cause.
  12. This policy and procedure shall be construed consistent with the Corporate Bylaws of NYHIMA. As soon as possible after adoption, it is the intention of NYHIMA's Board of Directors that their respective Bylaws be amended to include these provisions in order further to institutionalize and give effect to them.
  13. Covered Persons will be provided with a copy of the Policy and Procedure and be required to complete a "Conflict and Dualities of Interest" Statement (attached) upon hire/appointment and thereafter annually. All information obtained on disclosure statements will be held in confidence and released on a need to know basis.
  14. Failure to comply with this policy and procedure may subject the Covered Person to removal or discharge from their position, for cause.

### **Revisions**

Amendments, supplements, modifications and revisions may be made at any time, but only in written form. The NYHIMA Board of Directors must approve revisions.

Originally Created: March 2002

Updated and Revised: April 2014 / NYHIMA Board Approval on April 7, 2014

**NEW YORK HEALTH INFORMATION MANAGEMENT ASSOCIATION, INC.**

**Approved Form For Disclosure of Actual, Possible or Apparent Conflicts and Dualities of Interest**

Date \_\_\_\_\_,

To the New York Health Information Management Association, Inc. Central Office Administrator:

The undersigned, having a Covered Person (fiduciary) relationship to the New York Health Information Management Association, Inc. (NYHIMA), hereby acknowledges:

- (a) she/he has read the NYHIMA policy and procedures on conflicts and dualities of interest,
- (b) that she/he has no actual, apparent or possible conflicts or dualities of interest to disclose (check here if applicable \_\_\_\_\_),
- (c) that she/he has the following relationships or which should be disclosed under such policy and procedures:
  - 1.
  - 2.
  - 3.

Is there any other information regarding conflicts or dualities of interest about which you feel NYHIMA should be made aware? \_\_\_\_Yes \_\_\_\_No If yes, please describe below:

I hereby affirm that I:

- (a) have received a copy of the Conflicts and Dualities Interest Policy and Procedure;
- (b) have read and understand the Policy;
- (c) have agreed to comply with the Policy; and
- (d) understand that NYHIMA is a not-for-profit organization and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

NYHIMA Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Work/Daytime Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_



## 2016 NYHIMA ENVIRONMENTAL SCAN FORM

### What is Environmental Scanning?

Environmental scanning is a process that collects information on trends and priorities that impact or influence the HIM profession. This information:

- Feeds into strategic planning process
- Identifies emerging opportunities, threats or concerns and adjusts plans in a timely manner, and
- Capitalizes on opportunities or avert threats.

It is about recognizing that the future is unlikely to be anything like in the past, and that we therefore need to spend some time understanding the trends and likely influencers on the future of the HIM profession. It should also be noted the priorities of each member will be as varied as our healthcare delivery settings and position statements.

*Environmental scanning explores new, strange and creative ideas, as well as challenges and trends appearing on the horizon.*

### Directions

By participating in this environmental scan, you have the opportunity to inform and influence NYHIMA's strategy. You will be conducting environmental scanning by discussing within your local group topics that relate to the specific domain.

The environmental scan form is a means for you to provide input to your CSA leadership. The results of the Environmental Scan are processed by the Board of Directors and shared with your local leaders, NYHIMA members and the Central Office.

Think about...

- Your local association and its operating environment
- Your services, and how they might evolve
- Your customers, and how their expectations might change
- Issues that are likely to affect your workplace and your staff
- Emerging and converging technologies
- Stakeholders within our profession and our association

Each group should come up with 3 major trends that will have a significant impact on your work and/or the HIM profession over the next 5 years.

### To complete the form

1. Review the priority statements listed in each section.
2. Consider if there are **other emerging priorities** affecting you related to that section. List those in the spaces provided. If not, proceed with prioritizing the statements in that section.
3. After you've added your priority statements (if any), prioritize the top three statements with a number 1, 2, and 3.
4. Complete this process for all six sections. A space for comments is available at the end of the form.
5. Submit your completed form to your Team leaders during the House of Delegates forum.

### BUSINESS/ECONOMIC CLIMATE TRENDS

Economic forces shaping the association's opportunities and member needs relative to the association and/or the profession and the value it offers. These trends cover economic forces such as income, expenditures, and resources that affect the cost of running the association.	
	Budget constraints
	Conversion to ICD-10, EHR will create massive amounts of new data, requires increased focus in information integrity and governance
	Data Integrity – continuous change as data evolves
	Doing more with less – expectations changing as \$\$ decrease
	Efficiency requirements
	Reimbursement changes
<b>Optional – use space below to insert and rank other Priority statement/s</b>	

### DEMOGRAPHIC TRENDS

The population of members and prospective members specifically, changes in their attitudes and behavior toward the kinds of value the association and/or profession offers.	
	Aging membership/population force
	Bi-directional mentoring
	Diversifying membership and the profession
	Lack of member involvement
	Need to build association relationships to better prepare the association and its members
	Outsourcing
<b>Optional – use space below to insert and rank other Priority statement/s</b>	

### POLITICAL AND SOCIAL VALUE TRENDS

Social and cultural issues which are affecting the Association's and/or the Profession's opportunities and shaping member's desire for, and attitudes toward, the value offered by NYHIMA	
	Attract new professionals
	Competition with other healthcare professionals
	Create voting habit
	Declining CSA/CLA member participation
	Encourage standardization, data integrity, and interoperability across the care continuum
	Need for engaged members
	Repurposing of jobs – shift from paper to electronic systems has created a dramatic change in jobs and duties
	Volunteer opportunities
<b>Optional – use space below to insert and rank other Priority statement/s</b>	

### LEGISLATION REGULATION TRENDS

Trends in laws and regulation, which may directly affect the association and/or profession or the attitudes and behavior of members toward the association and the value it offers. This category consists of restrictions that state and federal laws place on individuals and organizations with regard to the conduct of activities.	
	Accountable Care Organization changes
	CDI
	Cyber-security
	e-Discovery
	Healthcare reform
	ICD-10
	Meaningful Use
	Patient Portal
	Payment restructure and the impact of audits and reimbursement
	Strategy to get HIM to the table with lawmakers and regulators
<b>Optional – use space below to insert and rank other Priority statement/s</b>	

### TECHNOLOGY/SCIENCE TRENDS

New developments in science and technology help to collect, store, share, and manage health information.	
	Communication quickly changing
	Computer-assisted coding growing
	Consumer access: patient verification, clearinghouse, patient
	Electronic Health Record needs better standards
	Natural language processing and understanding
	Privacy and security changing
	Standard Data Set across all systems that drives all healthcare transactions
	Speech Recognition in the OR suite
	Virtual university - tapping into virtual expertise
<b>Optional – use space below to insert and rank other Priority statement/s</b>	

### COMMENTS

*Use this space for further explanation of priorities or comments on the process.*
