

**Tightwad Fire Protection District
Director Confidentiality and Privacy Agreement**

WHEREAS, the HIPAA Privacy regulations impose severe sanctions on the unauthorized disclosure of Protected Health Information;

WHEREAS, the District also receives much information that is legitimately closed under the Sunshine Law, especially medical and personnel information;

WHEREAS, the District may be immune from the common law intentional tort of invasion of privacy, that privacy actions may nonetheless have a constitutional dimension under the liberty interest of the Due Process Clause of the Fourteenth Amendment and can therefore be pursued under 42 USC 1983 which is an exception to sovereign and official immunity;

WHEREAS, the District's employees and Board of Directors may come into countless records with private, confidential, and sensitive employee, medical and other information, and

WHEREAS, members of the Board of the Directors may have countless legitimate closed meetings the divulgement of which could lead to considerable liability for the District and those associated with the District.

WHEREFORE, in order to adequately protect the District from undue and unnecessary liability exposure, the undersigned Director agrees to the following:

I understand that as a member of the Board of Directors, unauthorized divulgement of private, confidential, and sensitive information including the legitimately closed information and content resulting from a legitimately closed meeting under the Sunshine Law may result in a vote of censure by the Board of Directors or even a requested resignation from office by the rest of the Board of Directors, and that the Board of Directors reserves the right to request a quo warranto proceeding to be filed by the County Prosecutor's Office or the Attorney General's Office if necessary to remove me from office to enforce the District's legitimate confidentiality and privacy policies and needs.

Print Director's Name

Signature: _____ Date: ____ / ____ / ____

Print Witness's Name

Personnel, Privacy,
or Training Officer Signature: _____

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REVISION HISTORY

Revision Date	Author	Revision Details
March 3, 2022	Monte Olsen	Initial version
March 12, 2022	Monte Olsen	Wording adjusted to be in sync with Policy #730
March 15, 2022	Monte Olsen	Clarified witness signature