



HIPAA and FERPA Policy

Handling of ePHI and PII Content

Preserving the confidentiality of your media is very important to Automatic Sync Technologies (AST) no matter what your content. However, Electronic Personal Health Information (ePHI) and student Personally Identifiable Information (PII) need a higher degree of attention in order to comply with the Health Insurance Portability and Accountability Act, 42 CFR part 164 (HIPAA), Health Info Technology for Economic and Clinical Health Act (HITECH), Family Educational Rights and Privacy Act (FERPA), and similar legislation.

"Private Content" means any ePHI or PII media or transcripts that you send to us either through the CaptionSync website or through our secure integrations. "Private Results" means any transcripts or timing results that we generate for you from your Private Content.

To secure your Private Content, **it must not be sent using our mail-in DVD/MP4 transfer service and must not be submitted using the Tegrity integration.** Neither of these are enabled by default.

Also make sure results are not be returned via email. To do so, make sure maximum size on attachments is 0 MB on the Contact Settings page.

AST engages subcontractors to provide portions of the services that we offer to you. It is necessary for AST to disclose your Private Content and Private Results to these subcontractors in order to deliver our service to you. Private Content and Private Results will only be sent to subcontractors have entered into HIPAA Business Associate Agreements with AST. **You need to execute a HIPAA Business Associate Agreement or FERPA Agreement with AST before submitting any Private Content to AST.** Please contact AST Sales to set this up in advance.

To apply measures specifically taken for Private Content, **AST needs to know in advance specifically which submissions are Private Content by opening a ticket in the CaptionSync Support Center with the subject "HIPAA/FERPA Content"**. Please specify either a batch identifier or date range when the Private Content submissions will be ingested by AST. For Live Captioning, please specify the event ID of the Private Content so that specific protocols can be set up with live captioners in advance.

Copies of your Private Content are retained on our server for six months to enable you to access and regenerate your caption results. Private Results are stored on our server for five years for you or users of your account(s) that you permit access to fetch them at your convenience. You may request permanent deletion of your Private Content and/or Private Results at any time prior to our standard retention periods.

The CaptionSync Smart Player, eCART, and Translation are not compliant services for HIPAA and FERPA Private Content. Please do not use this with HIPAA and FERPA Private Content.