

HIPAA

What does HIPAA stand for?

»» The Health Insurance Portability and Accountability Act

What is HIPAA?

HIPAA provides:

- Standardized patient health, administrative, & financial information.
- Creation of unique health identifiers in computer systems for e-records.
 - Protection & security of confidential patient health information.
- ▶ It is a law that must be followed by all Healthcare personnel at every level
- ▶ HIPAA is a set of basic national privacy standards & fair information practices
- ▶ The purpose of HIPAA is to protect the privacy of all patients of the U.S. who receive any kind of healthcare services
- ▶ Because HIPAA, Americans can enjoy a basic level of protection and peace of mind about their healthcare information

What information is protected by HIPAA?

- ▶ HIPAA requires that information in any format (oral, written, and/or electronic) be protected. This includes medical record information and any information that personally identifies a person

What is protected health information?

- ▶ Name
- ▶ Address
- ▶ Names of relatives & employers
- ▶ Birth date
- ▶ Telephone number(s) & Fax
- ▶ Email & IP address
- ▶ SSN & MRN
- ▶ Account Number
- ▶ Photographic images
- ▶ Certificate or license number
- ▶ Health plan beneficiary number
- ▶ Web URL
- ▶ Finger or voice prints
- ▶ Vehicle or other device serial number(s)
- ▶ Any other unique identifier

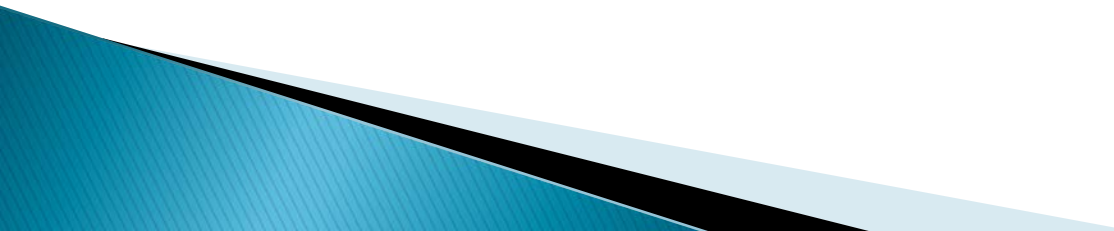
HIPAA PRIVACY RULE

- ▶ The Privacy Rule assures individuals' health information is properly protected while allowing the flow of health information needed to provide and promote high quality healthcare and to protect the public's health and well being. Applies to all PHI transmissions – electronically, verbally, or in writing
- ▶ The Privacy Rule allows for disclosure of PHI without authorizations: to the individual, for treatment or payment, marketing or fundraising (must include an opt-out provision), where the individual is incapacitated, in an emergency situation, or not available (if the use or disclosure is in the best interests of the individual), when use or disclosure is required by law, ie court order.

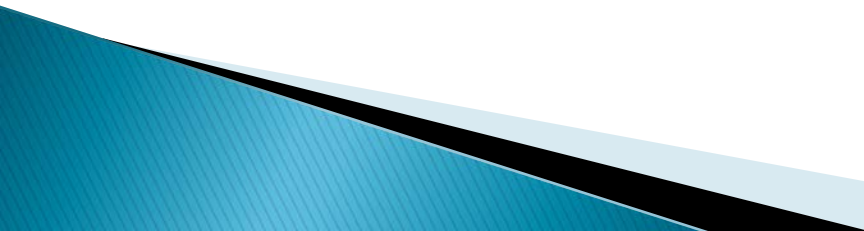
HIPAA SECURITY RULE

- ▶ The HIPAA Security Rule requires all covered entities to protect the ePHI (*Electronic PHI*) that they use or disclose to other entities
- ▶ This rule imposes numerous responsibilities on covered entities to develop and implement safeguards, policies and procedures to protect electronic PHI
 - ▶ Administrative Safeguards (Risk Analysis, Disaster Recovery Plan)
 - ▶ Physical Safeguards (Facility Access Control)
 - ▶ Technical Safeguards (Unique User Identification, Encryption/Decryption)
 - ▶ Organizational Requirements (Business Associate Agreements)

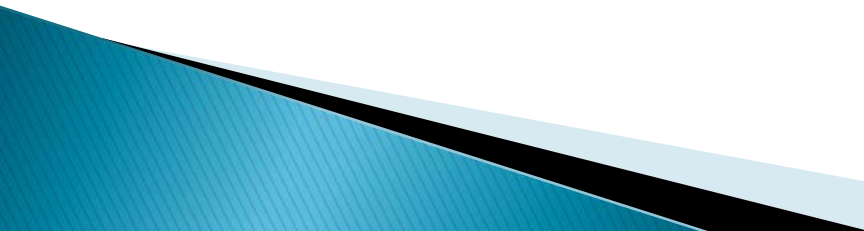
How does HIPAA affect your job?

- ▶ The way you communicate on the job
 - ▶ The way you use patient healthcare information while performing your job duties
 - ▶ You also must be aware of PBM's specific communication standards, policies and procedures
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Hints to help with HIPAA Compliance

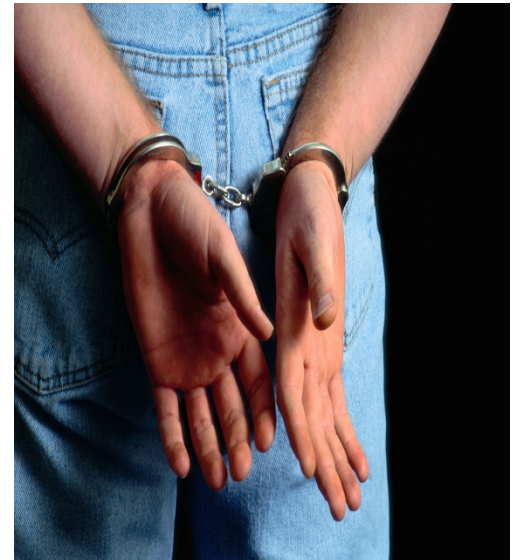
- ▶ Act responsibly with PHI
 - ▶ Do not share information about patients with friends, family, other employees, other patients or other non-authorized individuals
 - ▶ When you need to talk about information for healthcare purposes, check your surroundings and make sure others are not listening
 - ▶ Only access cases which are applicable for your job duties
 - ▶ Ensure paperwork with PHI is not left lying around where vendors or outside visitors can view it
 - ▶ Password protect mobile devices to restrict viewing access
 - ▶ Do not share computer/system log in information or passwords
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The HITECH Act: New Security Breach Notification Requirements

- ▶ The federal stimulus package, signed by Obama 2/17/09, contains the HITECH (Health Information Technology for Economic and Clinical Health Act), which sets forth several changes to the HIPAA
 - ▶ Patients must be notified any time their unsecured PHI may have been compromised through unauthorized acquisition, access, use or disclosure
 - ▶ If a breach affects 500 or more patients, it must be reported to the Department of Health and Human Services, which will post on its website the name of the entity that experienced the breach. Must also be reported to the media
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Results of breaking the regulation

- ▶ Violation of HIPAA carries both civil and criminal penalties. Up to \$1.5 million!
- ▶ If you are aware of a breach in the security or confidentiality of PHI, you should report it to your manager, HR, or assigned Privacy Officer.



DISCUSSION

»» Questions?