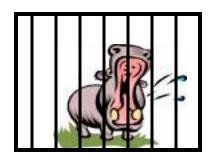


(or at least a way to stay out of jail!)



HIPAA - (HIPPA)

HEALTH INSURANCE PORTABILTY AND ACCOUNTABITY ACT



HIPAA says,
"NO blabbin'!"

4



So what's HIPAA anyway?

- First ever comprehensive federal protection guideline for the privacy of health information
- Establishes national standards for electronic health care transactions and national identifiers for providers (provider numbers), health plans and employers
- Addresses security and privacy of health data



WHAT DOES HIPAA DO?

- The administrative provisions of HIPAA include provisions for privacy through:
 - Electronic Transactions
 - Billing Codes
 - Security
 - Unique Identifiers (numbers for providers and clients)



WHO IS COVERED?

- Healthcare providers
- Health plans
- Healthcare clearinghouse



WHAT IS PROTECTED?

- Any health information
 - Oral
 - Recorded on paper
 - Sent electronically

Regulations

 Apply to health information created or maintained by health care providers who engage in certain electronic transactions, health plans and health care clearinghouses

Regulations

 Under the Privacy Rule, health plans, healthcare clearinghouses, and certain health care providers must guard against misuse of individuals' identifiable health information and limit the sharing of such information

HIPAA:

- Allows clients to have control over their health information as to how it is used/disclosed
- Outlines boundaries providers have regarding the use and release of records

HIPAA:

- Holds violators accountable with civil/criminal penalties
- Outlines safeguards providers must take to protect patient health information e.g.
 - Inform clients about policies/rights/how information is used
 - Train employees
 - Maintain a Privacy officer
 - Assure a secure storage of identifiable health information

- Protected Health Information (PHI)
 PHI is used when it is:
 - Shared
 - Examined
 - Applied
 - Analyzed

- Protected Health Information (PHI)
 PHI is disclosed when it is:
 - Released
 - Transferred
 - In any way accessed by anyone outside the facility or covered entity

- Permitted to use or disclose:
 - Treatment
 - Payment
 - Dialogue between providers within same agency
 - Incidental uses treatment team member visiting with patient in their room...

- Release is required when:
 - Requested or authorized by patient
 - Required by dept. of HHS for compliance investigation
- Authorization required when:
 - Treatment is shared
 - Payment is collected through outside facility
 - Law requires

AUTHORIZATION FORM

- Description of purpose
- Who will use/disclose
- Patient's right to revoke authorization
- Signature of patient and date
- Expiration date

AUTHORIZATION

- Authorization is **not** needed when:
 - facilities maintain patient directory
 - Informing family members of patient's location, condition or death
 - Informing agencies during disaster relief

PRIVACY NOTICE

- A new notice must be issued when the facilities privacy practices change
- The notice must
 - Contain patient's rights and facilities legal duties
 - Be available to patients in printed form
 - Be displayed at the site of service and posted on a web site if used by the facility

PATIENT'S PRIVACY RIGHTS:

- Right to receive notice
- Right to restrict/disclosure of PHI
- Right to alternate means of communication
- Right to inspect and amend PHI
- Right to request a history of disclosures
- Right to file a complaint

MINORS

- Parents have right to access and control of PHI of their minor children except when State law overrides. Ex:
 - HIV testing
 - Cases of abuse
 - When parents have agreed to give up control over their minor child

PENALTIES

- \$100 civil penalty up to a maximum of \$25,000 per yr for each standard violation
- A criminal penalty for knowingly disclosing PHI that may include a maximum penalty of \$250,000 and 10 yrs imprisonment

So if ya want to keep your hard earned money.... and if you don't want to join Martha Stewart.....



HIPAA says, "NO blabbin'!

The End!