



School's begun.
Let's learn something fun!

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



HIPAA - (HIPPA)

**HEALTH INSURANCE
PORTABILITY AND
ACCOUNTABILITY ACT**



HIPAA says,
"NO blabbin'!"



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

DISCLOSURE & USE

- Protected Health Information (PHI)

PHI is used when it is:

- Shared
- Examined
- Applied
- Analyzed

DISCLOSURE & USE

- Protected Health Information (PHI)

PHI is disclosed when it is:

- Released
- Transferred
- In any way accessed by anyone outside the facility or covered entity

DISCLOSURE & USE

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

DISCLOSURE & USE

- 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!