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!