

Health Insurance Portability and Accountability Act (HIPAA)

HIPPA

- ⦿ HIPPA is the Health Insurance Portability and Accountability Act of 1996.
- ⦿ It is a Privacy rule provides **Federal Privacy Protection** for individually identifiable health information called **Protected Health Information**.

The Goal of HIPAA

- ▶ The primary goal of HIPAA is :-
 - i. to make law easier for people to keep health insurance
 - ii. Protect the confidentiality and security of health care information.
 - iii. Help healthcare industry to control Administrative cost.

What Does HIPAA consist of ?

1. Standardized Electronic Data Interchange transactions and codes for all covered entities.
2. Standards for security of data systems.
3. Privacy protections for individual health information.
4. Standard national identifiers for health care.

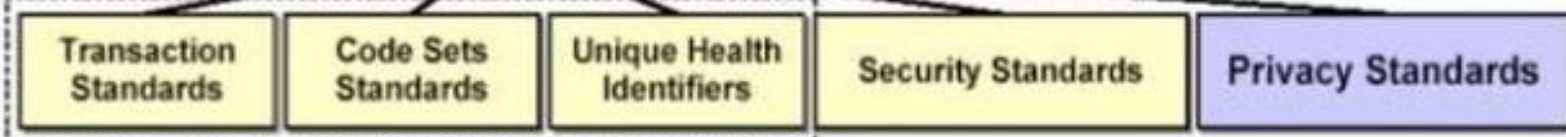
Why HIPAA comes in picture ?

- In 2000, many patients that were newly diagnosed with depression received free samples of anti-depressant medications in their mail.
- This left patients wondering how the pharmaceutical companies were notified of their disease.
- After a long and thorough investigation, the Physician, the Pharmaceutical company and a well-known pharmacy chain were all indicated on breach of confidentiality charges.
- This is one of the many reasons the Federal Government needed to step in and create guidelines to protect patient privacy.

CONTENTS OF HIPPA

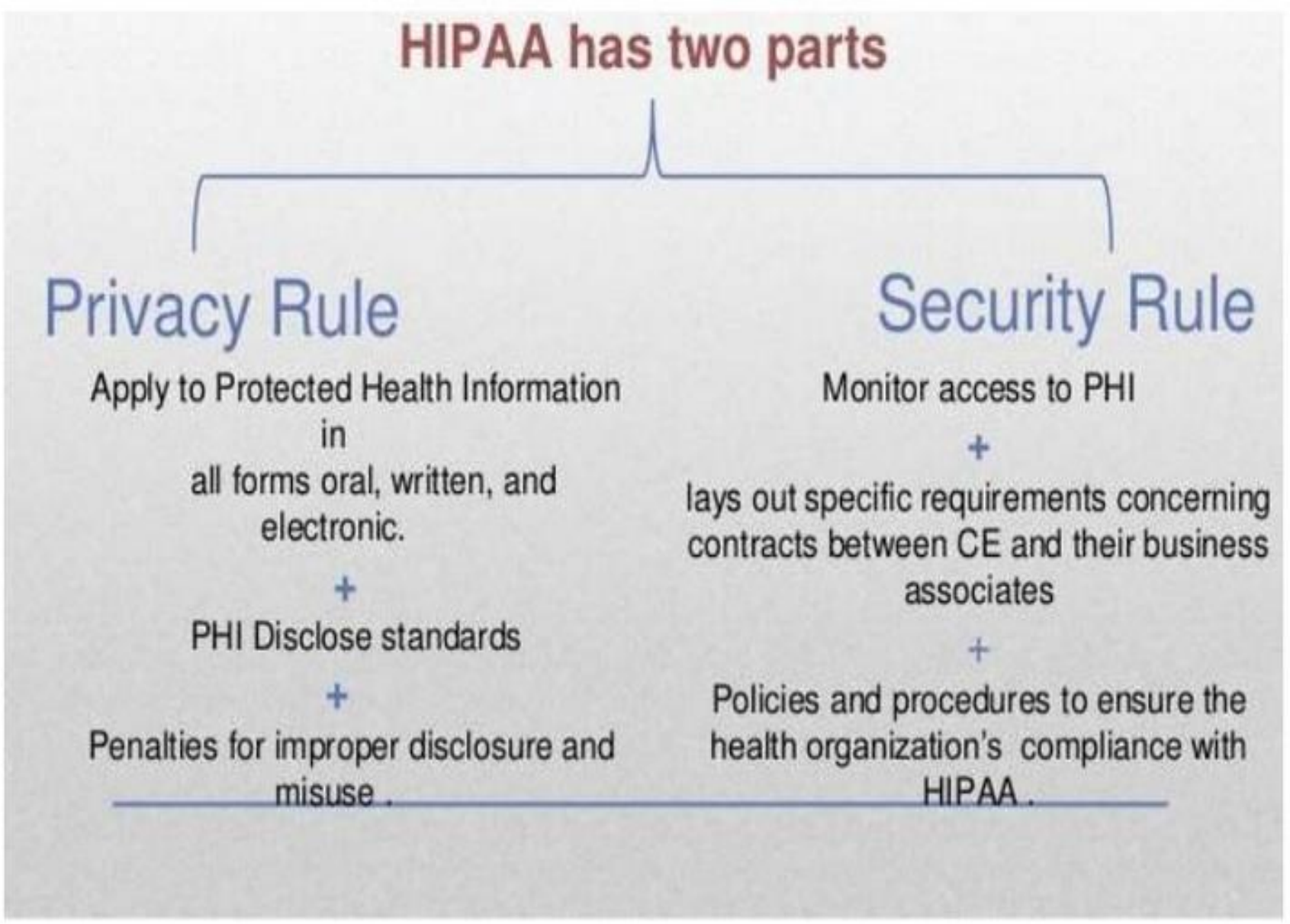
- ◉ Title 1 - Protects Health Insurance Coverage for workers and their families when they change or lose their job.
- ◉ Title 2- Prevents Health care Frauds and Abuse.
- ◉ Title 3- Guidelines for Pre-Tax medical spending.
- ◉ Title 4- Guidelines for Group Health Insurance Plans.
- ◉ Title 5 - Governs company owned Life Insurance policies.

Health Insurance Portability & Accountability Act



Administrative Simplification applies to most health care providers, health plans, and health care clearinghouses

HIPAA has two parts



Privacy Rule

Apply to Protected Health Information
in
all forms oral, written, and
electronic.

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PHI Disclose standards

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Penalties for improper disclosure and
misuse .

Security Rule

Monitor access to PHI

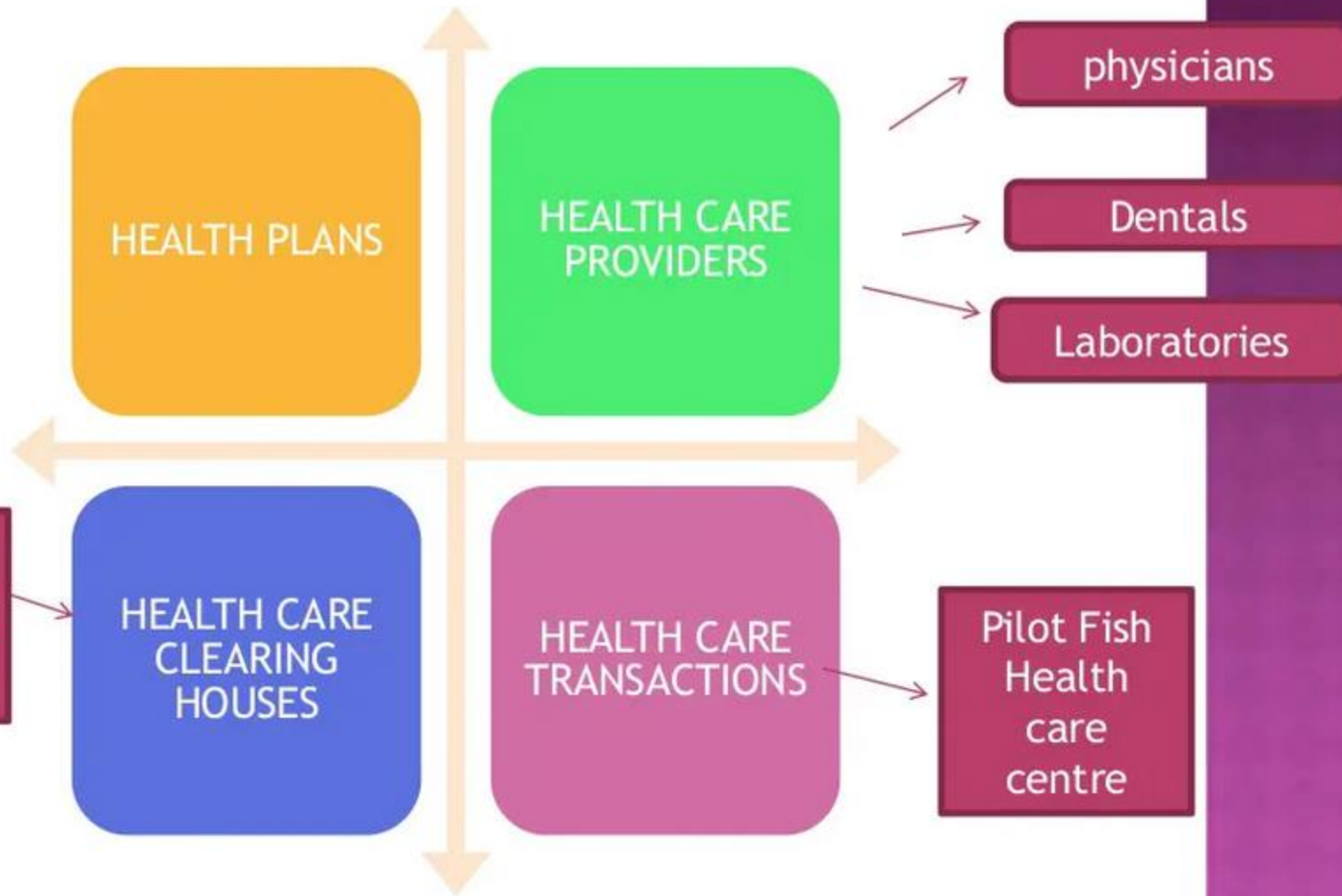
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lays out specific requirements concerning
contracts between CE and their business
associates

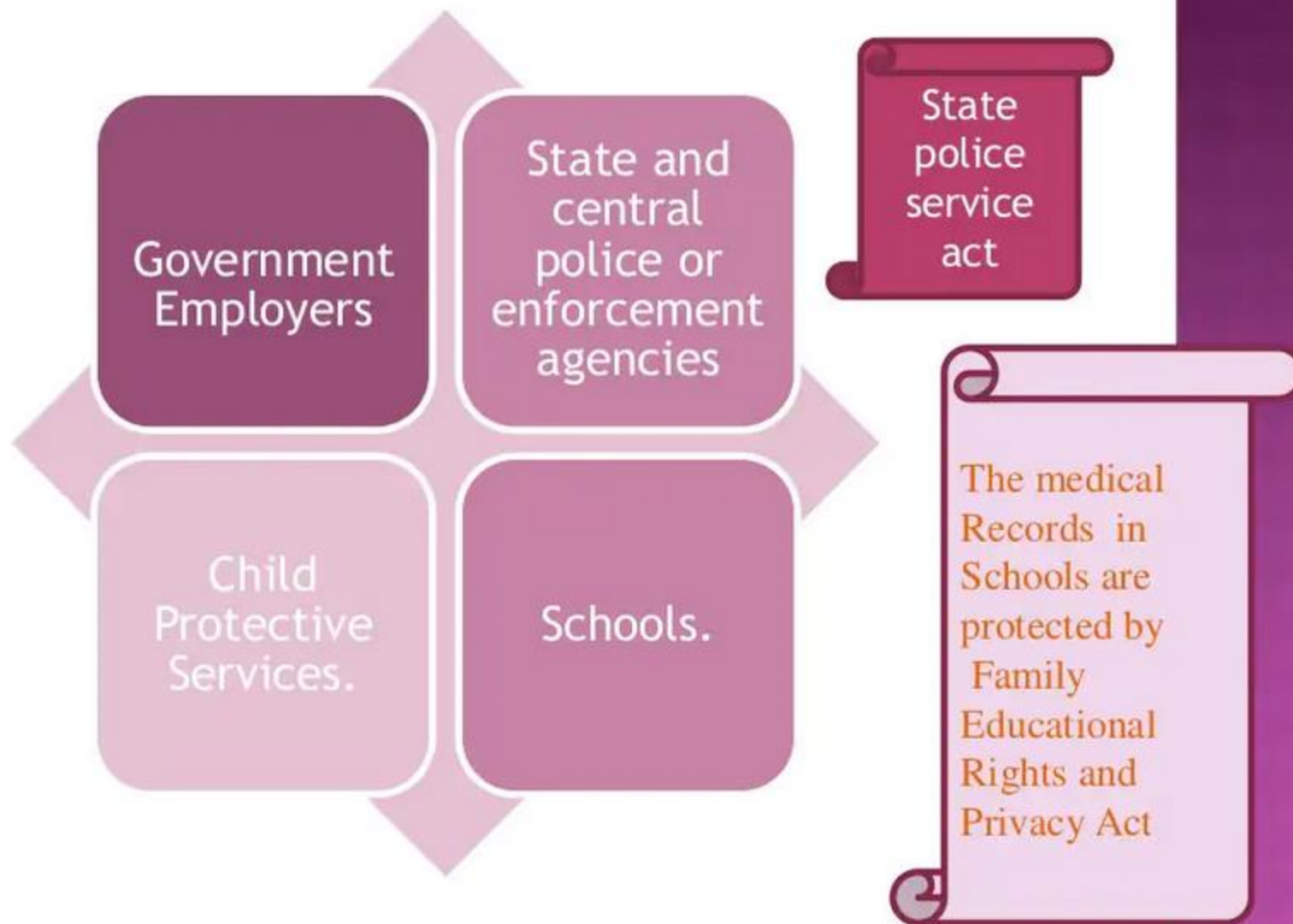
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Policies and procedures to ensure the
health organization's compliance with
HIPAA .

WHO MUST COMPLY WITH HIPPA



WHO MUST NOT COMPLY WITH HIPPA



HIPAA Patient Rights

HIPAA guarantees several rights to patients:

1. Right to privacy
2. Right to confidential use of their health information for their treatment, billing process, and other health care operations (such as quality improvement)
3. Right to access and amend their health information upon request
4. Right to provide specific authorization for use of their health information other than for treatment, billing and other health care
5. Right to have their name withheld from our patient directories
6. Right to request that individuals are not told of their presence in our facilities

HIPAA Overview

- ▶ **The Privacy Rule** governs who has access to protected health information (PHI).
- ▶ **The Security Rule** specifies a series of administrative, technical and physical security procedures to assure the confidentiality, integrity and availability of ePHI.
- ▶ **The American Recovery and Reinvestment Act (ARRA)** goal is to establish secure electronic health records for all Americans by 2014.
- ▶ **The Health Information Technology for Economic and Clinical Health Act (HITECH)**
 - ARRA/HITECH brings changes to the HIPAA regulations in 3 categories:
 - Breach notification
 - Business Associate responsibilities
 - Penalties

HITECH and ARRA Rules

- **HITECH** is designed to encourage health care providers to adopt health information technology in a standardized manner and to protect private health information.
- **ARRA** is the direct result of modifications in the HIPAA Privacy, Security and Enforcement Rules and strengthens health information privacy and security protections. ARRA specifically addresses:
 - Breaches
 - Electronic Health Records(EHR)
 - Personal Health Records (PHR)

The Privacy Rule

- **The Privacy Rule** is designed to **protect individuals' health information** (PHI) and allows individuals to:
 1. get a copy of their medical records
 2. ask for changes to their medical records
 3. find out and limit how their PHI may be used
 4. know who has received their PHI
 5. have communications sent to an alternate location or by an alternate means
 6. file complaints and participate in investigations

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Guidelines For Using & Disclosing PHI

- ▶ You may disclose information, without a member's authorization, to the appropriate authorities:
 - ❖ if required by law, court order, etc.
 - ❖ to public health officials, FDA, etc.
 - ❖ for abuse or domestic violence
 - ❖ to help law enforcement officials
 - ❖ to notify of suspicious death
 - ❖ to provide information for workers' compensation
 - ❖ to assist government actions
 - ❖ to help in disaster relief efforts
 - ❖ to avert a serious threat to health or safety
 - ❖ for health oversight activities

YOUR RESPONSIBILITIES

You are required to:

- disclose PHI – limit the information you share with a person to what he or she needs to know (“minimum necessary” guidelines)
- use PHI according to HIPAA approved guidelines for access, accounting, amendment, and restriction of PHI .
- only access the PHI necessary to complete your job duties
- maintain confidentiality & security of member information at all times

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