



ISLAND COUNTY MEDICAL RESERVE CORPS

WELCOME!

THE HIPAA PRIVACY RULE

April 14, 2003 Effective Date



WHAT IS HIPAA?



- HIPAA stands for the Health Insurance Portability and Accountability Act of 1996. HIPAA's Privacy Rule includes regulations for the use and disclosure of an individual's personal health information
- Besides privacy standards, HIPAA created new regulations to standardize medical claims processing and to protect the security of health information contained in electronic systems.

WHY HIPAA?

- Consumer concern about confidentiality of personal health information based on:
 - Media coverage of high profile breaches (celebrities, elected officials)
 - Increased electronic transmission of information (how secure is the internet?)
 - Secondary uses of information (employment decisions, marketing, etc.)
- Consumer demand to control how personal health information is used or disclosed.



WHO MUST COMPLY WITH HIPAA?

- All health care providers, health plans and health care clearinghouses that transmit protected health information in electronic form in connection with certain administrative and financial transactions are considered “covered entities” and are subject to the requirement of the Privacy Rule.



WHAT INFORMATION IS PROTECTED UNDER HIPAA?

- All Individually identifiable health information maintained by a “covered entity” in any form – verbal, paper and electronic, and may be found in:
 - Medical Records
 - Computer systems/Electronic Records
 - Photographs, Videotapes, Audiotapes



WHAT IS OUR COMMITMENT TO PRIVACY?

- We believe our clients have the right to have their medical information kept confidential and to understand how their information will be used.
- We balance protecting client information with ensuring health care providers have the information they need to properly care for our clients.
- We provide training and education about the HIPAA Privacy Rule to our entire workforce including student interns and volunteers.

NOTICE OF PRIVACY PRACTICES

- The law requires health care providers to give individuals a notice detailing their privacy rights and explaining how their health information will be used and disclosed and who will have access to their medical records.



HIPAA privacy rights

- Right to Receive Notice of Privacy Practices
- Right to Request Restrictions on Uses & Disclosures of Protected Health Information (PHI)
- Right to Request Confidential or Alternative Communications

Privacy rights - Continued

- Right to Review Records and Have Copies of Protected Health Information
- Right to Request Changes to Inaccurate Protected Health Information
- Right to Request a Summary Log of Disclosures of Protected Health Information

Sharing information with family members & friends

- General information regarding the client's condition may be shared with family members or friends directly involved in the client's care.
- Health care professionals will seek direction from the client. When this is not possible, health care providers will use professional judgment to determine what information to share.

Sharing information for other purposes

- Health care providers are allowed to share information for the following purposes without the client's written permission:
 - Treatment
 - Payment
 - Healthcare Operations

SHARING INFORMATION AS REQUIRED BY LAW

- Public Health Requirements
- Health Oversight Activities (Audits)
- Judicial & Administrative Proceedings
- Organ Donation
- Public Safety
- Government Proceedings
- Workers Compensation



Accessing client health records

Reasons to Access Client Records

- To provide medical information to new health care providers who are caring for the client
- Research and education
- To ensure the accuracy of the information contained in the records
- To verify charges for care

How can individuals protect medical privacy?

- Read their health care provider's Notice of Privacy Practices
- Discuss confidentiality concerns with their health care providers
- Read authorization forms before signing them
- Be cautious with health web sites, health screening questionnaires, etc. - know how the information may be used or disclosed

HIPAA SANCTIONS

Penalties for misuse of protected health information include both civil and criminal penalties.



RESOURCES

- Department of Health & Human Services
www.hhs.gov
- Office of Civil Rights
www.hhs.gov/ocr/hipaa