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HIPAA

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Why do we protect patients' privacy?

-  **If patients are afraid to give us all their health information because we don't keep it private, they will not receive the care they need and may suffer.**
-  **If the patients think we don't protect their personal information, they will go someplace else.**
-  **Accurate research to improve healthcare will NOT occur if a patient holds back private information.**
-  **Health Care cannot be cost effective without accurate information.**



Who has access to PHI?



Only those who must know information to provide care or do the work necessary to complete business responsibilities.



These include caregivers, medical records employees, utilization reviewers, billing personnel, and insurance providers.



Rules regarding PHI

Privacy Rule

- Establishes regulations for the use and disclosure of PHI**
- Must disclose PHI to the individual within 30 days upon request**
- Requires covered entities to notify individuals of uses of their PHI**

Security Rule

- Establishes standards for the security of electronic PHI (e-PHI). Standards are organized into 3 categories:**

Administrative Safeguards - Practices that guide security management and information access authorization

Physical Safeguards - Protections that minimize physical access to information

Technical Safeguards - Limiting electronic information access to particular users or user groups



What is PHI?



Protected Health Information that involves health status, provision of health care, or payment for health care.



All healthcare organizations must keep PHI confidential. They and their employees can be fined and/or imprisoned if they do not follow special rules to protect your privacy.



Purpose of HIPAA



To improve the efficiency and effectiveness of the health care system.



Applies to Covered Entities: healthcare provider, healthcare clearinghouse, health plans.



How do we protect patients' privacy?

By NOT giving any information about a patient to anyone who is not directly involved in the care of the patient, unless the patient gives an official consent or unless the law requires it.



Violation of HIPAA

The Department of Health and Human Services (DHHS) Office for Civil Rights (OCR) will enforce penalties for failure to comply with HIPAA.



Portability

This means that if you want to change your health insurance in any way or change insurance companies, it is easy to do so. For example, maybe your family is going to have a baby or you lost your job and now have to get insurance from your husband's or wife's insurance company. HIPAA makes it easy.



Accountability

This means that your health information is kept private and secure. Only those people who must have information about you to provide care or to process your records should know your private health information.

Some “footsteps” to protect patient’s privacy:

- Log off when not working on your computer.
- Leave only your name and number on message machines when you are asking patients to call you back.
- Be sure you are in a private area when listening to or reading your messages.
- Be careful in greeting patients in public areas. They may not want others to know then have been a patient.
- Never leave information unattended on computer screens, answering machines, or emails.
- Never leave documents unattended-store, file, and shred or destroy according to your departmental policy.
- Never share your access code and notify our supervisor if it becomes known.
- Know who you are speaking to on the phone. If unsure, get a name and number to call back after you find out it is OK to do so.
- Do not talk about patients or display their names and private information in public areas.