

## HIPAA OVERVIEW

- ❖ Must bill electronically by October 2003 - Unknown if this is just Medicare or all insurance
- ❖ Adopt a Notice of Privacy Practice (NPP)
  - ❖ Advise patients of their HIPAA privacy rights
  - ❖ Inform them how to file complaints about misuse of their Protected Health Information (PHI)
  - ❖ Inform the patient about specific ways the organization uses and discloses PHI
  - ❖ Must be distributed to patient before or on the date of service and a good faith effort must be made to obtain a written acknowledgment that the patient received the information.
- ❖ It allows hospitals to share billing information with ambulance services
- ❖ If the patients PHI is to be released for any other reason than treatment, payment, or health care operations (i.e. internal QA and related management tasks) you must first obtain the patients written authorization.
- ❖ The rule allows for patients or their responsible to inspect and copy their PHI. This request must be fulfilled in 30 days.
- ❖ The rule allows patients to request the covered entity to amend their PHI. You need not amend the PHI if the covered entity feels the PHI is complete and accurate. The patient then has a right to append a "statement of disagreement" to the medical record.
- ❖ Patients will have the right to request covered entities to list all disclosures of their PHI for a six-year period. Excluded are requests for PHI for the purpose of payment, treatment, and health care operations (QA, QI) Entities must record certain disclosures (subpoena) in an "accounting log" and report those disclosures to patient upon request.
- ❖ Patients have the right to file complaints with the covered entity and the Secretary of Health and Human Services regarding the alleged misuse of PHI.
- ❖ HIPAA requires that covered entities have written business associate agreements in place with any individuals or entities that perform services on your behalf involving your PHI.
- ❖ Entities must train all members of your workforce (members, volunteers and all others subject to the service's control) regarding HIPAA Privacy Rule and the organizations privacy practices no later than April 14, 2003. Must train new members with a reasonable time after joining the workforce.
- ❖ A Privacy Officer must be established.
- ❖ Implement policy and procedure for privacy, maintain the documents on file for possible inspection by HHS.