

What is HIPAA?

HIPAA is the **H**ealth **I**nsurance
Portability and **A**ccountability **A**ct

It is a federal law that...

- Protects the privacy of a patient's personal and health information
- Provides for electronic and physical security of personal and health information
- Simplifies billing and other transactions

**Who Has to Follow
HIPAA?**

EVERYONE

What Patient Information Must We Protect?

We must protect an individual's personal and health information that:

- Is created, kept, filed, used or shared
- Is written, spoken, or electronic

HIPAA says that this information is called **Protected Health Information (PHI).**

Examples of PHI (Protected Health Information)

- A person's name, address, birth date, age, phone and fax numbers, e-mail address
- Medical records, diagnosis, x-rays, photos, prescriptions, lab work and test results
- Billing records, claim data, referral authorizations, explanation of benefits
- Research records

The University may Create, Use, and Share a Person's **PHI** for:

- Treatment of the patient
- Reminders Appointment
- Payment of healthcare bills

The CSD department may create, share and use PHI for:

- Teaching
- Staff activities and training
- Business and management operations
- Disclosures required by law
- Public Health and other governmental reporting

For any other uses and disclosures of PHI...

University CSD department and Rite Care Center
must get a:

signed authorization from the patient.

HIPAA Requires the University to:

- Give each patient a **Notice of Privacy Practices** that describes:
 - > How the University can use and share his or her protected health information (PHI)
 - > A patient's privacy rights
- Ask every patient to sign a written acknowledgment that he/she received the *Notice of Privacy Practices*

How does HIPAA affect a student clinician or student observation?

- If you currently see, use or share a person's protected health information **case file (PHI)** as a part of your job, HIPAA may change the way that you do your job.
- If you currently **work directly with clients**, HIPAA may change the way that you do your job.
- *As a part of your job, you must protect the privacy of patients' PHI!*

Use PHI

Only to do your job!

**At all other times, protect
a patient's information
as if it were**

your own information!

HIPAA Story

I was helping Amanda in the front office . A friend who works with campus security told me that she just saw a famous movie star on campus with some men who looked like bodyguards. There was a child in a wheel chair with them and she was told they would be spending the morning at Curry Health Center.

My friend is curious about this famous person. She read in the paper that the actress's child has a disability. My friend asked me to find out.

“What harm can it do?” my friend asked.

What Does HIPAA Say

- Do you need to know why movie star and her child are here? Is this needed for you to do *your job*?
- Does your friend need to know if the movie star child has a disability to do *her job*?
- If you were you, would you want strangers to have your private information?

*HIPAA says that if you tell your friend,
it is the wrong thing to do..*

And... CSD is Serious About Protecting Our Patients' Privacy!

**Someone who does not protect a patient's
privacy could lose his or her job, pay
fines or even go to jail**

- Fines are \$50,000 to \$250,000**
- Jail terms are up to ten years**

Security Means that...

Everyone must secure and safeguard PHI so that others cannot see or use it...

UNLESS it is necessary to do the job

Protecting Patient Privacy Requires Us to Secure Patient Information

**If you are responsible for
computer or client files,
this impacts your
physical security of PHI**

Secure all PHI

- Do not share or give anyone your passwords – under any circumstances!
- Log-off computers when finished and secure paper records that contain PHI!
- Destroy, shred or put in the designated bins all paper that could contain PHI!

What Does HIPAA Say?

What is University Policy?

- HIPAA and University policy say that it is both your responsibility and your fellow student's responsibility to do the right thing
- Each of us has a responsibility to protect others from seeing or using PHI, except when we need the PHI to do our jobs.

*It is your job AND your
co-worker's job
to protect the privacy of a person's
PHI!*

Just checking. Please answer the following questions.

1. What is PHI?

- a. A person's Protected Health Information.
- b. A person's health, billing or payment information that is created or received by a health care provider or health plan.
- c. Protected Health Information is information about a person that can be used to identify the person.
- d. PHI is a person's information that is protected by the HIPAA law.
- e. All of the above

Who has to follow the HIPAA Law?

- a. My supervisor, faculty, and other CSD students
- b. Doctors and nurses
- c. Everyone

When can the University use or disclose PHI?

- a. For treatment of a patient, if the patient has received the University's Notice of privacy practices.
- b. For payment of bills, if the patient has received the University's Notice of privacy practices.
- c. For teaching activities, if the patient has received the University's Notice of privacy practices.
- d. All of the above

4. When must you protect a patient's personal or health information?

- a. NOW because there are federal and Montana laws that protect a person's information.
- b. NEVER
- c. I don't know

5. Where can you go to get more information about what HIPAA says that you and the University can do with PHI?

- a. In the CSD University's Notice of Privacy Practices.**
- b. From the University's HIPAA Web-site.**
- c. From my clinical supervisor**
- d. From the University's Privacy Officer.**
- e. All of the above**

Thank you for completing this HIPAA information guide!

- For more information, please visit:
 - > <http://www.hhs.gov/ocr/privacy/hipaa/understanding/index.html>
 - > <http://www.umt.edu/research/complianceinfo/HIPAA/default.aspx>
- Questions? Please contact:
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