

# HIPAA Awareness Training

## Training Objectives

To have every student, volunteer, intern:

- Understand what **HIPAA** is
- Understand **patient rights**
- Know the **consequences** for non-compliance with the law
- Recognize the importance of making a commitment to patient confidentiality.

## What Is HIPAA?

HIPAA (**Health Insurance Portability and Accountability Act**) was enacted in 1996. It is a federal law that sets out rules for sharing personal medical information and protecting it from unauthorized uses. The original intent was to make it easier for people with health issues to keep their health insurance when they changed careers. It applies to information collected or oral, verbal or electronic in hospitals, doctors' offices, and other places that provide health care as well as to the businesses that help providers manage and store the data.

The law allows people who are directly involved in the care of a patient or payment for services to see this information but others such as employers, employees, marketers, fundraisers, or other people who want this information cannot have it. The U.S. Department of Health and Human Services issued the Privacy Rule in April, 2003 to implement this aspect of the law, and its Office of Civil Rights is in charge of enforcing it.

HIPAA is based on two important ideas in patient care: **privacy and confidentiality**.

**Privacy** refers to a person's right to limit who knows what about one's medical condition. It also refers to the right to have conversations about medical care in places where others cannot overhear.

**Confidentiality** refers to a person's right to limit or place restrictions on who can access and share their medical information.

Doctors can share medical information with nurses, therapists, and other health care professionals on the patient's medical team. This is important for good care and is not affected by HIPAA.

## **Why Are You Involved in HIPAA?**

It is everyone's responsibility to take the confidentiality of patient information seriously. Anytime volunteers come in contact with patient information (or any personal health information) written, spoken, or electronically transmitted, they become involved with some facet of the HIPAA regulations. It is for this reason that the law requires awareness training for **all** personnel, including students who are observing in the healthcare pathway.

## **What is Protected Health Information (PHI)?**

According to HIPAA, **all** of the following information can be used to identify a patient:

- Addresses
- Dates
- Telephone or Fax Numbers
- Social Security Numbers
- Medical Record Numbers
- Patient Account Numbers
- Insurance Plan Numbers
- Vehicle Information
- License Numbers
- Medical Equipment Numbers
- Photographs
- Fingerprints
- Email Addresses
- Internet Addresses

This information is referred to as Individually Identifiable Health Information (IIHI). Removing a patient name from a chart is no longer sufficient to **de-identify** the patient. HIPAA refers to this information as **Protected Health Information or PHI**.

Any health information that identifies someone or can be used to identify someone must be protected.

## **Sharing Patient Information:**

HIPAA, under the Consent Rule, allows for the provider of care to use health information for treatment, payment, and operations (TPO). Before HIPAA, it was common to use patient information for other purposes and to share more than the minimum necessary information. Under the Minimal Necessary Rule, students should only have access to the information they need to fulfill their assignments.

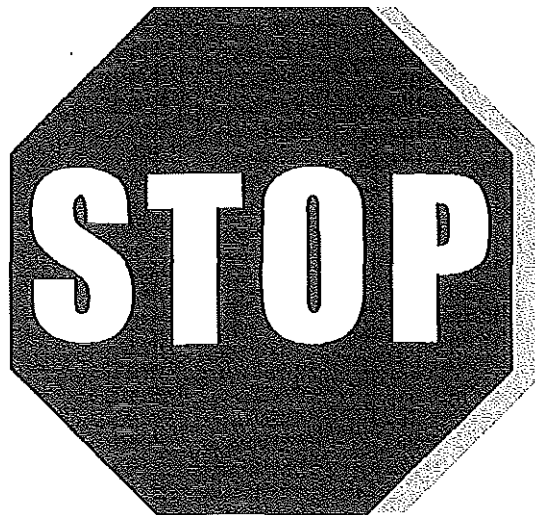
### What is TPO?

HIPPA allows us to share patient information for:

- |                   |                                                                                                                            |
|-------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>Treatment</b>  | Providing care to patients                                                                                                 |
| <b>Payment</b>    | Getting paid to care for patients                                                                                          |
| <b>Operations</b> | Normal business activities such as quality improvement, training, Auditing, customer service, and resolution of grievances |

If use of the information does not fall under one of these categories, you must have the patient's signed authorization, before sharing that information with **ANYONE**.

If Person Health Information (PHI) is involved,



and ask yourself, does my sharing this information involve **TPO** (Treatment, Payment, Operations) for that patient?

If the answer is **NO**,

**DON'T pass it along.**

This includes information you may see or hear about hospitalized volunteers, friends, and acquaintances. Sharing information requires authorization from the patient involved.

Students **cannot** share medical information with anyone. This includes what a student may see, hear or observe while participating in a health science career pathway activity/event.

- If you see someone you know you cannot share that information with anyone. Be careful of disclosing that you saw someone even in casual conversation such as “Hey, while at the hospital today I saw Mr. \_\_\_\_\_ come in.”
- If you hear something about a person, you cannot share that information with anyone.
- If you see a person’s medical history, you cannot share that information with anyone.

**Scenarios:**

1. During the course of your day, you see a fellow acquaintance.
  - a. OK to: Converse with the individual as you would normally do. Do not ask why they are here.
2. You work where you might see patient information.
  - a. OK to: Continue with what you were doing, disregarding the information you happened upon.
  - b. Not OK to: Assume, because he/she is a personal friend, it is OK to notify others you know.
  - c. Not OK to: Scan the census looking for people you know.
3. You are having lunch with a group of other students in the hospital and someone makes the statement, "Did you know that Mary is in the hospital?"
  - a. OK to: Politely stop the conversation and remind your fellow students that sharing personal health information is not something we do. A reminder to all that we need to be HIPAA-wise would be a very appropriate comment.
  - b. Not OK to: Talk about any person's health information, without authorization, **even when among friends.**

**What are the Consequences of Not Complying with the Law?**

Under HIPAA, there are now fines and penalties for sharing information about a patient. We treat privacy seriously, which is why every volunteer and student is required to sign a confidentiality form.

A breach of privacy hurts everyone.

Wrongful and willful disclosure of health information carries fines and can involve jail time.

### **Why Should We Comply with HIPAA?**

- It is the right thing to do
- It is in keeping with the values of our organization
- Think about how you would feel if it were information about you or a loved one.
- People in health care think they already do a good job protecting patient information, but HIPAA requires more protection.

### **We have to protect all health information!**

### **What is New with Patient Rights?**

Under HIPAA, patients have a right to know how their health information may be used or disclosed, and that they have certain privacy rights. These rights, some new and some revised, are communicated to our patients through a document called **Notice of Privacy Practices (NPP)**.

**New Rights** allow patients to:

- Obtain a list of with whom their health provider has shared their health information for the past six years
- Request to amend their medical record
- Request other communications, such as asking to be notified of lab results only at work and not at home

**Revised rights** allow patients to:

- Review and copy their medical record
- Request restrictions on the use or sharing of their information, such as "**opting out**" of the hospital directory (no publication).

Before HIPAA, it was not uncommon for patient's private information to be given to other companies for the purpose of marketing products or services. Now, HIPAA states you must get the patient's signed authorization before doing this.

### What's Next?

This awareness training is intended to give you a general overview of HIPAA. If you routinely have access to patient information, you will likely receive further training on how new HIPAA related policies and procedures might affect you and the patient.

Help us to keep the HIPAA awareness level **high**.

### Remember:

- **Always stop** and ask yourself, should I be sharing this patient information?
- If it doesn't pertain to **TPO**, don't discuss.
- Think of patient information about fellow volunteers, neighbors, and acquaintances as **protected information, not for sharing**.
- Dispose of patient information by placing in appropriate shredding bins, **never in an open wastebasket**.
- Turn computer screens off if you leave the station for any reason.
- Report all abuses. Enforcing the regulation is everyone's responsibility.

### I am HIPAA Wise!

I have received the HIPAA Awareness Training and understand my obligation to comply with the HIPAA regulations.

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Name

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Date