

HIPAA

Health Insurance Portability

& Accountability Act

**Stanislaus County
Medical Reserve Corps
(SCMRC)**



HIPAA and the SCMRC

- As an SCMRC volunteer, you will encounter patients and their very personal medical problems.
- *Here are some important reminders about Patient Confidentiality and Trust*

We welcome you...

- **To the joy and responsibility...**
...of volunteering in our community in times of disasters or public health crises.



- **It is the responsibility of all SCMRC members to abide by HIPAA rules that guide patient confidentiality.**

What is HIPAA?

The Federal Health Insurance Portability & Accountability Act of 1996/2003

- **Federal law effective April 14, 2003 to protect the privacy of a patient's personal and health information.**
- **Provide for the physical and electronic security of personal health information.**
- **Simplify billing and other transactions with Standardized Code Sets and Transactions**
- **Specify new rights of patients to approve access/use of their medical information**

Key terms

- **Covered Entity** – Health Provider, Health Plan or Health Care Clearinghouse
- **TPO** – Treatment, payment and operations
- **Minimum Necessary** – using or releasing only what's required to do the job
- **PHI** – protected health information
- **ePHI** – PHI in electronic format
- **Use** – internal use of PHI
- **Disclosure** – external release of PHI

What information must we protect?

Any information that meets the following criteria...

- **Is created, received, or maintained by a covered entity**
- **Relates to the health condition of an individual**
- **Relates to payments for health care services**
- **Includes at least one of the 18 personal identifiers**
- **Is transmitted or stored in written, oral or electronic format**

18 Identifiers defined by HIPPA

- Name
- Postal address
- All elements of dates except year
- Telephone number
- Fax number
- Email address
- URL address
- IP address
- Social security number
- Account numbers
- License numbers
- Medical record number
- Health plan beneficiary #
- Device identifiers and their serial numbers
- Vehicle identifiers and serial number
- Biometric identifiers
- (finger and voice prints)
- Full face photos and other comparable images
- Any other unique identifying number, code, or characteristic.

HIPAA rules require us to....

- **Treat all things we learn about patients as confidential**

We can't tell anyone else with the exception of minors in most cases; however if a patient allows a family member into the room with them it may be considered implied consent.

- **Provide more control to patients over their personal health information**
- **Punish those who misuse information by imposing criminal & civil penalties**



HIPAA rules say....

- You can't talk about patients outside of a healthcare setting.
- Clinicians should only access the medical information that is needed for their assigned job/clinical experience.
- We need patients to give permission before we can give information to others on their behalf.
- Keep medical records in a secure place-both paper & electronic.



If you are placed in a position that utilizes electronic medical records....

- If you are given a password-don't share with others
- Do not access information on yourself, your family, your friends, staff or any other person.
- You have a duty to report any breach in confidentiality to your supervisor.
 - Remember most computer systems can track all access to records.
 - Inappropriate access is punishable by federal and state law.

HIPAA **Violations** Can Carry **BIG** Penalties--

- **Criminal Penalties**
 - \$50,000 - \$1,500,000 fines
 - Jail Terms up to 10 years
- **Civil Monetary Penalties**
 - \$100 - \$25,000/yr fines
 - more \$ if multiple year violations
- **State Fines & Penalties**
 - Up to \$250,000
 - Jail Terms up to 10 years



You are responsible to know, read and understand HIPAA Laws

- Find the entire Federal HIPAA privacy summary; *sign up for alerts*

www.hhs.gov/ocr/privacy/index.html

- California Department of Health Care Services HIPAA Laws

www.dhcs.ca.gov

Let's suppose ...

- You saw someone that you know at the care facility you have been assigned to.....



...you are not allowed to tell anyone else

Let's suppose ...

- You were very excited to see a patient's recovery progress outside the healthcare environment...

...Showing concern is okay however you must not discuss the specifics regarding the patients condition.



You are sitting in a break area with others present and say to a coworker:

- I had a female patient today that was in her 40's and pregnant. I wasn't able to vaccinate her and she was pretty upset with me. How do you handle situations like that?**

....Was that a HIPAA violation?

Points to Remember:

- **Share information only when necessary to do your job**
- **Provide the “minimum necessary” and only on a “need to know” basis**
- **Information shared without consent from the patient must relate to TPO**

Thank you....

**For being a part of Stanislaus County's Volunteer
Medical Reserve Corps Team!**

