

## **MANDATORY INSERVICE SUMMARY**

### **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**

#### **WHAT IS THIS ACT?**

The Health Insurance Portability and Accountability Act (HIPAA) was enacted by Congress in 1996 to assure two things: 1) the transferability of health insurance and 2) that health information is standardized, and kept secure and private for individuals. This act was meant to safeguard personal information for all persons being treated in the health care system. Most parts of this act take effect on April 13, 2003.

#### **WHAT PARTS OF THE ACT IMPACT THE VILLA VOLUNTEERS?**

The safeguarding of “protected health information” (PHI) is the piece of this legislation which impacts the Villa most directly. This safeguarding falls into the following categories:

- Security Standards for Health Information – requires physical, technical and administrative safeguards be put in place to ensure confidentiality of information, protect against threats or hazards to integrity of information, and prevent unauthorized use of information
- Privacy Standards – assures privacy rights for residents and defines responsibilities of providers regarding individually identifiable health information.

#### **WHAT DOES THIS MEAN FOR ALL EMPLOYEES & VOLUNTEERS?**

HIPAA means that, just like under our corporate compliance standards, all employees must be careful to safeguard resident confidential information.

#### **WHAT ARE SOME WAYS WE MUST SAFEGUARD THIS INFORMATION?**

The following ways are examples of how resident information can be safeguarded:

- **PHYSICAL SAFEGUARDS**
  1. Facility security plan
  2. Sign-in for visitors
  3. Control of access to areas with key resident information
  4. Use of shredder as appropriate, such as lists of resident names and diagnoses which are not part of the resident medical record
- **ADMINISTRATIVE PROCEDURES**
  1. Training for all employees and volunteers to assure understanding of HIPAA and Protected Health Information (PHI)
  2. Limiting of information to only those who “must know,” and putting in place policies and procedures to do so
- **TECHNICAL SECURITY**
  1. Use of passwords with computers
  2. Use of encryption to transmit confidential data

- **TECHNICAL SECURITY MECHANISMS**

1. Preventing unauthorized access to data transmitted over a communications network. These are more “behind the scenes” activities.

### **WHAT DOES THIS MEAN FOR OUR RESIDENTS?**

This means that residents have the right to decide whether they wish to have their Protected Health Information (PHI) disclosed or not.

### **WHAT ABOUT INFORMATION ROUTINELY USED TO PROVIDE TREATMENT AND CARE? DOES THIS FALL UNDER HIPAA?**

Authorization for release of information is required under HIPAA except for: **Treatment, Payment, or health care Operations (TPO)**. For example, if a resident is transferred from the Villa to the hospital, it is not required to obtain a separate authorization for the transfer of this Protected Health Information. It is also not necessary to obtain specific authorization when submitting a bill to a payer.

### **WHAT ABOUT OUR DIRECTORY AT THE RECEPTIONIST DESK?**

If a resident is informed in advance so that they have the opportunity to object, the Villa may have a directory at the front desk with very basic information: resident name, room number and clergy. **Any information to be posted or made public in any way must have specific, prior authorization from the resident.** This provision applies to names in bulletins, newsletters, postings, etc.

### **HOW CAN I BEST KEEP INFORMATION SECURE AS PART OF HIPAA?**

- Remember that speaking of confidential resident information in the café or the dock can violate HIPAA as well as corporate compliance laws
- Keep medical records and other papers secure and not open for viewing on any desks or tables
- Keep computer screens away from public view
- Shred any confidential information which is not currently used and which is not a part of the permanent medical record
- Bring any confidential resident information – names, insurance numbers, diagnoses, etc. – which you may find in your daily work to the attention of your supervisor for proper handling
- Follow the policies and procedures which will be introduced for HIPAA compliance

**HIPAA  
Post Test**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Department:** \_\_\_\_\_

1. HIPAA is a federal act which is aimed at keeping resident information secure and confidential.

\_\_\_\_ True

\_\_\_\_ False

2. Protected Health Information refers to any resident confidential information, such as name, diagnosis and billing information.

\_\_\_\_ True

\_\_\_\_ False

3. Some ways to safeguard Protected Health Information are:

\_\_\_\_ a. Shredding information no longer needed

\_\_\_\_ b. Assuring that computers screens are not easily viewed by other persons

\_\_\_\_ c. Making sure that visitors sign in for security purposes

\_\_\_\_ d. All of the above

4. Protected Health Information cannot be disclosed to anyone without the resident's authorization EXCEPT for purposes of Treatment, Payment and health care Operations.

\_\_\_\_ True

\_\_\_\_ False

5. Before any resident birthdays are posted at the Villa, it is necessary to obtain a resident's written authorization.

\_\_\_\_ True

\_\_\_\_ False