

HIPPA Training Guide B

The HIPPA Privacy Rule covers the following Protected Health Information (PHI):

1. Individually identifiable health information.
2. Transmitted or maintained in any form or medium.
3. Created or received by a covered entity.
4. Related to the past, present, or future physical or mental condition.
5. Related to the provision of healthcare.
6. Related to the past, present, or future payment for the provision of healthcare.

HIPPA affects all information, not only electronic records. It protects individually identifiable information and all medical records in ANY form, electronic, paper, or verbal, whether or not it has every been transmitted or maintained electronically.

The HIPPA Privacy Rule does NOT cover adequately de-identifiable information that would be virtually impossible to identify the person to whom the data refers.

Key Provisions of the Privacy Rule:

Privacy notice – A notice of privacy practices must be made available to all patients.

Patients have new privacy rights – Including requesting restrictions on how an organization can use their information and requesting that changes and corrections be made to their PHI.

Authorizations – The use and disclosure of PHI is generally allowed without the patients authorization when it is the purpose of treatment, payment for health services rendered or healthcare operations purposes.

Minimum necessary information – Covered entities must limit their use and disclosure of PHI to the minimum necessary to accomplish the intended purpose.

Business Associates – Covered entities must have contract with business associates that protect PHI.

What does HIPPA meant to me?

- You must protect PHI in all forms: oral, written, computerized, and faxed in settings in which you work.
- You must be familiar with and comply with all privacy policies and procedures where you work.
- You can be subject to civil and criminal penalties for violating HIPPA privacy violations.

Enforcement and Criminal Penalties

There are significant penalties for violating the privacy regulations of HIPPA. Both organizations and individuals who commit violations, may be subject to fines.

Civil penalties are \$100 per incident, capped with \$25,000 for each calendar year, per person, per standard for each requirement or prohibition that is violated. Enforcement is by the HHS/Office of Civil Rights.

There are also criminal penalties for knowingly violating the HIPPA Rules. These penalties can be up to \$250,000 and 10 years in prison. The criminal penalties are enforced by the Department of Justice.

Please complete the following quiz and return to PHS. Keep this guide as reference material.