

# HIPAA

(Health Insurance Portability and Accountability Act)

## The Importance of Confidentiality Training for Volunteers and Interns



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## What is HIPAA?

- \*HIPAA is the **Health Insurance Portability and Accountability Act**
- \* Designed to **protect the privacy and security of** health information and provide **individuals** with certain rights
- \* Includes the:
  - \* Privacy Rule
  - \* Security Rule
  - \* Breach Notification Rule

# Training Objectives

To have every volunteer:

- \* Understand what **HIPAA** is.
- \* Know the meaning of Protected Health Information (**PHI**).
- \* Understand some examples of potential PHI violations.
- \* Know who to report a potential PHI violation to.
- \* Understand the importance of protecting confidentiality

## HIPAA Privacy Rule

- \* Sets national standards for when **Protected Health Information (PHI)** may be used and disclosed.
- \* PHI includes information that relates to:
  - \* The individual's past, present, or future physical or mental health or condition
  - \* The provision of health care to the individual
  - \* The past, present, or future payment for the provision of health care to the individual

# HIPAA Privacy Rule

- \* HIPAA Privacy Rule Rights for Customers:
  - \* Access to their PHI
  - \* Accounting of disclosures
  - \* Request amendments to their PHI
  - \* Request alternate methods of communication
  - \* Request restrictions on use and disclosure of their PHI
  - \* Receive the Notice of Privacy Practices
  - \* HIPAA also applies to deceased Customers

# HIPAA Security Rule

- \* Specifies safeguards that must be implemented to protect electronic PHI (ePHI)
- \* Covered entities and their Business Associates must:
  - \* Ensure confidentiality, integrity, and availability of all ePHI they create, receive, maintain, or transmit
  - \* Protect against reasonably anticipated threats to the security or integrity of ePHI
  - \* Protect against reasonably anticipated, impermissible use and disclosure
  - \* Ensure workforce compliance & annual training to all employees and volunteers.

# HIPAA Breach Notification Rule

- \* Any unauthorized use or disclosure of PHI is presumed to be a breach
- \* At Brown County and the ADRC, we have an Incident Investigation Policy and Procedure to determine if the incident is a reportable breach
- \* Your role is to report any potential breach to your Supervisor and/or the Volunteer Coordinator

## Examples of Violations

### **Examples of incidents that may be investigated as violations:**

- \* PHI faxed to wrong place
- \* PHI left unattended or unsecured
- \* Disclosing PHI of incorrect client with same name but wrong family/address
- \* Discussing PHI in a public place
- \* Sharing or accessing information without a “need to know”
- \* Sharing PHI of any kind on social media
- \* Sharing enough PHI information to identify a person and their PHI
- \* Emailing unencrypted PHI anywhere outside Brown County email addresses

# Enforcement

- \* The Health and Human Services Office for Civil Rights (HHS OCR) enforces the HIPAA Rules
- \* Violations may result in sanctions to the ADRC as your volunteer “employer”, Brown County, and/or you personally.
  - \* **Civil penalties** for violations start at \$100 to \$50,000 per violation up to \$1.5million per year
  - \* **Criminal penalties** range from \$50,000 and one year in prison to \$250,000 and ten years in prison.

# Confidentiality of Sensitive Information

- \* In addition to HIPAA Rules, there are also confidentiality rules that provide a higher standard of protection for:
  - \* Mental health treatment records
  - \* Alcohol and Other Drug Abuse treatment records
  - \* HIV/AIDS
- \* Make sure to consult with your Supervisor or ADRC Privacy Officer if handling this type of PHI

# Your Role

- \* Passwords
  - \* Do not share
  - \* Use ones with letters, numbers, special characters
- \* Report
  - \* All HIPAA violations, even if you are not sure that it is an actual violation
- \* Access
  - \* Do not access PHI unless you have a job-related need to know or you have written authorization
- \* Ask
  - \* If you are not sure how to handle a situation

# Reporting Violations

It is **Everyone's responsibility** to report violations or wrong doings.

Whether someone received customer information improperly, or shared customer information in the wrong way, everyone has a responsibility to report violations.

***When in doubt... Ask!***

Your program coordinator or the volunteer coordinator is a good place to start for answers to your questions and the place to report violations and issues.

# Testing for Understanding

If you routinely have access to customer information in your volunteer duties, you will likely receive further confidentiality and HIPAA related policies and procedures affect your work. Your program coordinator or the volunteer coordinator is a good place to start for answers to your questions, or for reporting issues.

*This awareness training is intended to give you a general overview of HIPAA and passing the test will satisfy your core training requirement.*

*The following page contains the HIPAA Training Test.  
Print and complete the test sign and date and turn in to your supervisor.  
This will certify completion of this training.*

***Thank you!***