

## HIPAA self study packet

### Objectives

You will be able to

1. Identify what the HIPAA law covers.
2. Understand patient rights addressed by this law
3. Understand your responsibilities as part of the "workforce" of Mercy Medical Center

HIPAA stands for Health Insurance Portability and Accountability Act. This law was passed to provide protection to you and your ability to obtain health insurance when you moved from one company to another company. In addition this law has two Rules; The Privacy Rule and the Security Rule. This self-study packet will address the Privacy Rule, which went into affect April 14, 2003.

Understanding and enforcing HIPAA, Confidentiality and Privacy is everyone's responsibility. Hospitals, Physician Offices, Nursing homes, Pharmacies and anyone else who works in a Health care setting are required to follow this law. One option that the law permits is for the hospital or other agencies to designate themselves as "Organized Health care arrangement". This allows everyone who is taking care of the patient in an "organized health care arrangement" to share patient information as long as it is for Treatment, operations or payment. (TOP).

The law requires that the hospital have

- ◆ Policies on privacy practices for written, oral and electronic communication (Policies are on Mercy Net)
- ◆ Designate a privacy officer
- ◆ Provide education to all members of the workforce (this includes students, volunteers, employees and physicians)
- ◆ Provide Patients with a notice of the hospital's privacy practices. Copies of The Notice of Privacy Practices (NOPP) must also be placed in the lobbies of the Medical Center and at the off-sites.

There are potential heavy civil and criminal fines for deliberate violations of the law

Patient rights:

Patients have the right to:

- ◆ Access their own records
- ◆ Have information kept confidential
- ◆ Request an amendment to their records
- ◆ Ask not to be put in the hospitals directory
- ◆ Request that they not receive marketing or fund-raising material
- ◆ Auditory and visual privacy (do not expose patients)

### **Loose talk**

Avoid using waiting rooms or public areas to interview patients or brief family members. Do not discuss patients in the cafeteria, elevators, hallways or outside in the picnic areas. Occasionally a coworker will be hospitalized. Use extra care in protecting their confidentiality. Do not discuss their medical condition with fellow employees or mutual friends. Physicians and nurses may discuss patient information in the nurse's station.

### **Sharing information with the patient's family:**

Information about the patient's condition may be shared with the family if the patient gives permission (can be verbal), the patient is unconscious or confused, or if it is in the best interest of the patient.

### **Fax Machines, Computers**

Information technology such as Fax machines is a major security risk. Make sure that the fax you are sending is going to the correct office or person. All patient information that is being thrown away must be

placed in the hospital shredder boxes. Avoid using speakerphones unless you are sure that someone else can not hear the conversation. Do not share your computer password with anyone else. You could be held responsible if it is misused. Your access to computer information in the hospital is based on the minimum necessary amount of information you need to do the job you were hired/ volunteer to do. You may not review patients chart (PHI-protected health information) unless your position in the hospital requires you to review this information for to do your job.

**Hospital Directory:** Includes patient name, room number and condition only. If you receive a call asking for a patient by name this information may be given to them.

**HIPAA policies:**

HIPAA policies are on Mercy Net. As a physician, employee, student or volunteer you will be instructed by your Director/Manager in the HIPAA policies that affect you in your position.

**Privacy Officer:**

If you have any questions you may contact the privacy officer, Ann Almas RN, at ext. 2626 or call (330) 489-9111 ext. 2626.