

HIPAA for Caregivers



What is HIPAA?

- HIPAA stands for Health Insurance Portability and Accountability Act.
- HIPAA is a federal law passed by Congress in 1996.
- HIPAA and the Privacy Rule that is part of HIPAA:
 - Defines how health care providers must relate to “Protected Health Information,” also known as PHI.
 - Is designed to protect the patient’s health information.
 - Sets a national standard for health information privacy.



Examples of Protected Health Information (PHI)

Here are some **common identifiers** of Protected Health Information (PHI).

- Client name
- Geographic subdivisions (such as street address, city, county, zip code)
- Dates (such as birth date, admission date, discharge date, death date)
- Telephone and fax numbers
- Email address
- Social Security numbers
- Medical record numbers
- Health plan or account numbers
- Certificate or license numbers
- Full-face photographic images
- Fingerprints or voiceprints
- Names of relatives



The Client and their PHI

- Your client (the patient) controls how and with whom their PHI is shared.
- Your client has a right to view his or her own PHI and to copy it.

PHI and You

- It is your responsibility to protect the privacy and security of your client's protected health information (PHI).
- HIPAA-protected information exists in various forms:



printed



spoken



electronic

Protecting Printed PHI

- Medical records management includes:
 - Keeping client folders closed after use.
 - Secure any notes, labels, or forms with patient names or other PHI.
- If you see a record in public view where others can see it, take it to the appropriate person or to your supervisor.
- Properly dispose of PHI by shredding or incinerating if it is no longer in use or needs to be destroyed.



Protecting Electronic PHI

- When using a computer:
 - Make sure your computer is turned away from public view to protect client information.
 - Password protection is essential to computer security. Never share your computer password. Never keep a paper record.
 - Log off and lock your computers when you are away from your desk.
- When faxing:
 - Always use a fax cover sheet that includes a confidentiality statement.
 - DO NOT include any PHI on the fax cover sheet.
 - Send only the minimum PHI needed.
 - Avoid sending sensitive health information such as information regarding HIV.



PHI in Conversation

- Do not leave messages regarding PHI on an answering machine unless the client or patient has given you permission.
- **Keep a journal** to document phone calls or other instances when you gave PHI to someone authorized to receive it.
- **Never** discuss clients with friends, family, or other clients. **Never** disclose your client's name, location, or lifestyle or talk about things that occurred during your shift.
- Focus your conversation only on the client you are with. **Never** talk about other clients, their homes, or any other details of their lives.
- Before a client visit, always **know who is authorized to receive private information** regarding client condition or treatment.
- Keep conversations private. Hold conversations about clients in private areas and only with those involved in their care.
- **NEVER give your personal phone number to clients.** Clients must communicate directly with the agency about their needs rather than relying upon you as if you were a personal friend.



What and Where can You



You CAN share medical information about your client or patient:

- At the client/patient's **doctor's office**.
- At the **pharmacy** when picking up your client's prescriptions.
- To a supervisor or co-worker involved in that client's care.
- To 911 or the hospital.
- To a relative or friends **who have authorization to receive protected health information** about your client.



Report HIPAA Breaches

- It is every Care Crew member's responsibility to **report any suspicions of possible privacy breach incidents to their supervisor** or the Agency's Privacy Officer.
- The agency has a responsibility to investigate regardless of whether Protected Health Information (PHI) was actually disclosed, acquired, and/or accessed. Then, the agency must self-report any HIPAA violations and take necessary steps to prevent recurrences.



HIPAA Violations and Penalties

- Violations can result in disciplinary action or termination from employment. In addition, you could be subject to civil or criminal charges by the government.



- Fines and prison sentences can result from the following:
 - Knowingly releasing client information to someone who is not authorized to receive it.
 - Gaining access to health information under false pretenses.
 - Releasing client information with harmful intent.
 - Selling patient or client information.

Knock Knock!
~Who's there?
HIPAA!
~HIPAA Who?

I can't tell you
THAT!



ROTTEN CARDS

HIPAA

Helping Restore Ability

Course Description

- In this training we will go over HIPAA laws and regulations for caregivers
- Instructors –Karina Brewer, Eric Tedana & Robin Medina
- Based on our policies and procedures manual

Instructor Contact Information



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Materials

Books

- HRA Policies/Procedures Handbook

Websites

- <https://aspe.hhs.gov/report/health-insurance-portability-and-accountability-act-1996>

Videos

- <https://www.youtube.com/watch?v=Azh88UiYSVI>

Course Objectives

Course Objectives	Skills Developed
1-What is HIPAA	Know what HIPAA means
2-Personal health information (PHI)	Identify what personal health information is
3-Your HIPAA responsibilities	Know what is/isn't violating HIPAA laws
4-Reporting HIPAA breaches	Know who to report HIPAA breaches to
5-HIPAA violations/penalties	Be aware of what can when HIPAA is violated

Section 1 - What is HIPAA?

- HIPAA- Health Insurance Portability and Accountability Act
- Federal law passed in 1996 defining how health care providers must protect a patient's health information
- Is the national standard for health information privacy

Section 2- What is PHI?

PHI (Personal Health Information)

Common examples of PHI

- Client name
- Address
- Birthdays/death days
- Contact information (email, telephone number, fax number)
- Social security numbers/driver's license number
- Medical history/records
- Client medications/diagnosis
- Health plan/account numbers
- Full face photographs
- Names of relatives

HIPPA information can be shared

- Verbally
- Electronically
- Printed copy

Section 3- Your HIPAA Responsibilities

Your client has the **right to access any of their PHI and copy it**. They also have the right to control **what is shared with whom and how**.

- It is your responsibility, by law, to protect all client PHI
- Only share PHI with people who pertain directly to the person/case
 - At client Dr. Office
 - Pharmacy when picking up client prescription
 - Supervisor or coworker involved in client care
 - 911/hospital
 - Relative or friend **who has authorization to receive PHI**

Clients' Rights and HIPPA Compliance

< Previous Section



<https://www.youtube.com/watch?v=Azh88UiYSVI>

Printed PHI



Keeping client folders closed after
use



Papers containing PHI must be
shredded if it is no longer needed

Electronic PHI



When using a computer/phone

Make sure it is turned away from public view

Password protection is required when storing or accessing PHI from computer/phone

Never share passwords

Log off or lock computer/phone when you are away



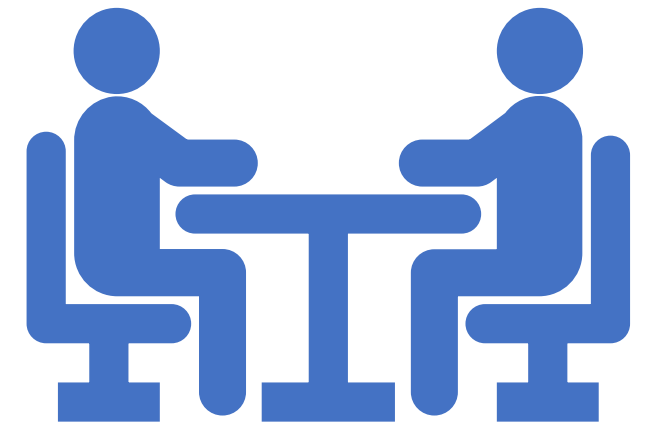
When Faxing

Always fax a coversheet (not including PHI) first when sending PHI

Send only the minimum PHI needed, to whom it directly pertains to

Verbal PHI

- **Never** discuss clients with friends, family, or other clients
 - Including their name, address, lifestyle, or things that occurred during your shift
- Before a client visit, always **know who is authorized** to receive private information regarding client condition/treatment
- **Never give your personal number to clients**
 - Clients and attendants must communicate directly through HRA about their needs
 - Keep a journal to document phone calls or other instances when you gave PHI to someone authorized to receive it
- Keep conversations held in private areas as much as possible



Section 4- HIPAA Breaches



It is your responsibility to report any suspicions of possible privacy breaches to your direct supervisor (Abby Starling) or our HR department.



It is HRA's responsibility to investigate regardless of whether PHI was disclosed, acquired and/or accessed. The agency itself must self-report any HIPAA violations and take necessary steps to prevent recurrences



Section 5- HIPAA Violations and Penalties

- Violations can result in disciplinary action or termination of employment
 - You could also be subject to civil or criminal charges by the government
 - Fines and prison sentences can result from
 - Knowingly releasing client information to someone who is not authorized to receive it
 - Gaining access to health information under false pretenses
 - Releasing client information with harmful intent
 - Selling patient or client information
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If you have questions, please contact your supervisor



HELPING RESTORE ABILITY
A Non Profit Serving Texans with Disabilities