



Children's National®

Privacy and HIPAA

What is HIPAA?

The Health Insurance Portability and Accountability Act (HIPAA) is a Federal Law that passed in 1996. HIPAA regulates healthcare providers, payers, and electronic clearinghouses.

The Federal Department of Health and Human Services enforces HIPAA. The Office of Civil Rights and the Centers for Medicare and Medicaid Services (CMS) share the enforcement responsibilities.

The Federal law has several significant aspects:

- Portability -Allows employees to move from employer to employer and not lose insurance coverage due to pre-existing conditions.
- Administrative Simplification -Allows for the development of efficient and effective administrative standards.
- Transaction Standards -Adopts new national standards for 8 electronic transactions including claims and payments, codes and identifiers.
- Security- Requires secure systems for information exchange.
- Privacy - Defines new standard practices to protect patient information.
- Fraud and Abuse - Expands CMS' ability to investigate fraud abuse and system security under HIPAA.

Protect System Security and do not share your password.

If you have not been assigned a system password, do not request access to a fellow staff member's password. Talk with your manager about your need for information.

Protected Health Information (PHI)

All medical and personal information should be considered confidential. This includes all demographic information (names, phone numbers, or addresses for example) and all clinical information (including appointments, diagnosis, care plans, medications, and treatments).

"...The term Health Information means any information whether oral, or recorded in any form or medium, that is created or received by a health care provider, health plan, public health authority, employer, life insurer, school or university or healthcare clearinghouse; and relates to the past, present or future physical or mental health or condition of an individual or the past, present or future payment for the provision of care to an individual..."

Authentication

HIPAA requires reasonable efforts to authenticate the source of requests for information. The following questions should be asked:

- Who is the requestor?
- Why are the particular records needed?
- How will the records be protected once they are disclosed?

- Does the patient or his/her representative approve of the disclosure?
- Written requests for information should be forwarded to the Medical Records Department for processing. Outbound documents should be sent from the Children's Medical Records Department. Parents will sign an Authorization for Release of Information form that answers the questions and allow to the parent to manage the information. Whenever possible, the information should be given to the parent.

Patient Rights under HIPAA

In protecting privacy, Children's National will:

- Get written authorization prior to the disclosure of Private Health Information (PHI) to non-covered entities unless Children's is required by law to do otherwise
- Provide patients access to inspect and get copies of their records
- Allow for the request of restrictions on disclosures of PHI
- Provide for an accounting of all disclosures should patients request one
- Allow for the revocation of authorization
- Accommodate reasonable requests for alternate means of communications

Patients or their representatives can contact our Medical Records department to obtain information regarding record access. The Notice of Privacy Practices is given to every new patient upon registration. The Notice of Privacy Practices is posted on our Web site www.childrensnational.org.

Contact our Children's Privacy Officer for privacy related issues. The Children's complaint policy and process is available to all patients. Patients can call our Ombudsman Department 202-476-2885 for help.

Communication Tips to Protect Patient Privacy

The Children's HIPAA Tips archive is posted on the Children's Intranet. Here are some answers to frequently asked questions you may have about daily communications under HIPAA:

- What kind of information is covered under HIPAA? HIPAA protects private health information that is written, oral or electronic and it includes past, present, and future medical and demographic information.
- Can I FAX under HIPAA? Can I receive a FAX? Faxing is not prohibited under HIPAA. Take reasonable precautions and use a FAX cover sheet. Make a follow-up phone call to be sure your fax has been received.
- Can I give out information by phone under HIPAA? Information required by another covered entity for treatment purposes is appropriate to exchange via phone call. Be sure to authenticate the caller by asking a few questions to be sure of their role in treatment.
- Can I provide written reports to doctor offices or hospitals under HIPAA? Information required by another covered entity for treatment purposes is appropriate to exchange.

Information requested by a non-covered entity requires an authorization for release signed by the patient or parent unless Children's is required by law to disclose or provide it.

Please sign and date to confirm you have read the above in its entirety:

Signature

Date

Printed Name