



Plan Year IEBP Staff Education Resource Library

HIPAA Privacy, Breach Notification & Security Training

Champion the Integrity of the Healthcare Dollar by Optimized Efficient Performance Based Outcome | Dedicated to Service | Engage in the Process | Embrace in Proactive Opportunities for Improvement | Execute with Excellence | Political Subdivision Value Based Synergy Managing the Multi-Faceted Solutions to Healthcare Costs and Performance Based Outcome | 24/7/365

Privacy Rule

- Compliance & Enforcement
 - Who is responsible for enforcing the Privacy, Breach Notification & Security Rules?
 - Potential Criminal Penalties for Noncompliance
 - Potential Civil Penalties for Noncompliance

Privacy Rule

- ▶ Who is a “Covered Entity”?
- ▶ What is “Protected Health Information”?
- ▶ What is a “Hybrid Entity”?
- ▶ Who are “Business Associates”?
- ▶ What types of media are subject to the Privacy Rule?

Privacy Rule

- Required Disclosures of Protected Health Information
- Permitted Uses and Disclosures of Protected Health Information
 - Treatment
 - Payment
 - Health Care Operations
- Minimum Necessary Standard

Privacy Rule

- Notice of Privacy Practices
 - Required Content
 - Providing Notice to Employees
 - Posting on Website

Privacy Rule

➤ Authorizations

- Unless a use or disclosure of Protected Health Information is specifically permitted by the Privacy Rules, a written, signed authorization is required from the individual
- The rules for a valid authorization include:
 - Required core elements
 - Required statements

Privacy Rule

- Individual Rights under the Privacy Rule
 - Right to Request Additional Protections
 - Additional Restrictions
 - Confidential Communications
 - Right to Access Protected Health Information
 - Right to Amend Protected Health Information
 - Right to Receive an Accounting of Disclosures

Privacy Rule

- ▶ Administrative Responsibilities
 - Personnel Designations
 - Training Workforce
 - Safeguarding Protected Health Information
 - Privacy Complaints
 - Sanctioning Workforce
 - Mitigation of Harm
 - Refraining from Intimidating or Retaliatory Acts
 - Waiver of Rights
 - Policies and Procedures
 - Documentation

Breach Notification Rule

- What is a “breach” of Protected Health Information
- Covered Entities must have a process for investigating possible breaches of an individual’s Protected Health Information
- Notification requirements in the event of a breach

Security Rule

- ▶ The Security Rule applies to Electronic Protected Health Information (ePHI) that a Covered Entity creates, receives, maintains, or transmits
- ▶ A Covered Entity must ensure the Confidentiality, Integrity, and Availability of Electronic Protected Health Information

Security Rule

➤ Requirements of the Security Rule are scalable and flexible. A Covered Entity's compliance plan may take into account its:

- Size
- Complexity
- Capabilities
- Technical Infrastructure
- Cost of Security Measures
- Potential Security Risks

Security Rule

- ▶ The Security Rule is organized into Standards
 - A Covered Entity must meet each Standard
- ▶ Each Standard may have one or more Implementation Specifications
 - Implementation Specifications may be required or addressable

Security Rule

- ▶ The Security Rule is separated into:
 - Administrative Safeguards
 - Physical Safeguards
 - Technical Safeguards

Security Rule

- Administrative Safeguards are administrative actions, policies and procedures that:
 - Manage the selection, development, implementation, and maintenance of security measures to protect Electronic Protected Health Information
 - Manage the conduct of employees in protecting Electronic Protected Health Information

Security Rule

- ▶ Physical Safeguards are physical policies and procedures to protect records, information systems, and related buildings and equipment from natural and environmental hazards and from unauthorized intrusion

Security Rule

- ▶ Technical Safeguards are the technology and policies and procedures for its use that protect Electronic Protected Health Information



Have a Great Day!

Your Time is Appreciated