I. **Training Objectives**

To have every volunteer:

- Understand what **HIPAA** is
- Know the meaning of Protected Health Information (**PHI**)
- Understand the significance of Treatment, Payment, and Operation (**TPO**) and why it is important to remember
- Understand what is new with **patient or client rights**
- Know the consequences for non-compliance with the law
- Recognize the importance of making a **renewed commitment** to patient or client confidentiality

II. **What is HIPAA?**

- HIPAA is a law passed by Congress in 1996
- HIPAA sets national standards for the protection of patient or client information, with a compliance deadline of April, 2003
- HIPAA applies to healthcare providers, including hospitals, public health departments, medical professionals, insurance companies, labs, home health care companies, and surgery centers
- HIPAA covers ALL forms of protected health information...oral, written, and electronic

III. **Why are we, as volunteers, involved with HIPAA training?**

It is everyone’s responsibility to take the confidentiality of patient or client information seriously. Any time volunteers come in contact with patient or client information (or any personal health information) written, spoken, or electronically transmitted, they become involved with some facet of the HIPAA regulations! It is for this reason that the law requires awareness training for all health care personnel, including volunteers.
IV. **What is protected Health Information (PHI)?**

According to HIPAA, all of the following information can be used to identify a patient or client:

- Addresses
- Dates
- Telephone or fax numbers
- Social Security numbers
- Medical record numbers
- Patient or client account numbers
- Insurance plan numbers
- Vehicle information
- License numbers
- Medical equipment numbers
- Photographs
- Fingerprints
- Email addresses
- Internet addresses

This information is referred to as individually identifiable health information (IIHI). Removing a patient or client name from a chart is no longer sufficient to de-identify the patient or client. HIPAA refers to this information as protected health information or PHI.

Any health information that identifies someone or can be used to identify someone MUST BE PROTECTED.

V. **Sharing Patient or Client Information**

HIPAA, under the Consent Rule, allows for the provider of care to use health information for **Treatment, Payment, and Operations (TPO)**. Before HIPAA it was common to use patient or client information for other purposes and to share more than the **minimum necessary** information. Now patients or clients need to give prior authorization for the use of their health information for non-TPO purposes.

Under the **Minimum Necessary Rule**, volunteers should only have access to the information they need to fulfil their assigned duties.
VI. What is TPO?
HIPAA allows us to share patient or client information for:

- **Treatment:** Providing care to patients or clients
- **Payment:** Getting paid for caring for patients or clients
- **Operations:** Normal business activities such as quality improvement, training, auditing, customer service, and resolution of grievances

If use of the information does not fall under one of these categories you must have the patient’s or the client’s signed authorization before sharing that information with anyone!

If personal health information (PHI) is involved,

and ask yourself, “Does my sharing this information involve TPO (treatment, payment operations) for that patient or client?”

If the answer is NO, don’t pass it along unless you have been authorized to do so! This includes information you may see or hear as a volunteer about fellow volunteers, friends, and acquaintances receiving treatment. Sharing information for non-TPO purposes requires authorization from the patient or client involved.

VII. What are the consequences of not complying with the law?
It has always been against Barclay Friends policy to improperly share, use, or dispose of patient or client information in the wrong way. Under HIPAA, there are now fines and there are now fines and penalties for this.

We treat privacy seriously, which is why every volunteer and team member is required to sign a confidentiality form. A breach of privacy may result in termination/dismissal. Wrongful and willful disclosure of health information carries fines and can involve jail time.

Why should you do this?
- It’s the right thing to do
• It is in keeping with Barclay Friends values
• Think about how you would feel if it was information about you or a loved one

People in health care think they already do a good job protecting patient or client information, but HIPAA requires MORE protection. We have to protect ALL health information!

VIII. What is new with patient or client rights?
Under HIPAA, patients or clients have a right to know how their health information may be used or disclosed and that they have certain privacy rights. These rights, some new and some revised, are communicated to our patients or clients through a document called Notice of Privacy Practices (NPP).

NEW rights allow patients or clients to:
• Obtain a list of who we have shared their health information with for the past six years
• Request to amend their medical record
• Request other communications, such as asking to be notified of lab results only at work and not at home

REVISED rights allow patients or clients to:
• Review and copy their medical record
• Request restrictions on the use or sharing of their information, such as “opting out” of the directory

Before HIPAA, it was not uncommon for the patient’s or the client’s private information to be given to other companies for the purpose of marketing products or services. Now, HIPAA states you must get the patient’s or the client’s signed authorization before doing this.

IX. Providing for the Security of Patient or Client Information
With computers:

We have to make sure all health information, no matter where it is, is secure. This includes information stored on computers. Everyone who uses a computer has a duty to keep health information secure.
HIPAA says we must protect all patient or client information on computers by:

- Properly signing on with individual IDs and passwords
- Signing off of computers if walking away from the desk
- Keeping IDs and passwords CONFIDENTIAL
- Protecting computer screens from unwanted viewing

**Through proper disposal of information:**

We have to handle and dispose of patient or client information carefully, such as using a **shredder** instead of throwing patient or client information away. The procedure for the proper disposal of health information will be part of service-specific training.

RULE OF THUMB: NEVER dispose of patient or client information in an open area trash bin. When in doubt, ASK.

**With the use of email and faxes:**

HIPAA says we must protect all patient or client information transmitted electronically. Volunteers involved with these tasks will receive special training.

X. **Reporting Violations**

It is EVERYONE’S responsibility to report violations or wrong doings. Whether someone received patient or client information improperly, or shared patient or client information in the wrong way, everyone has a responsibility to report violations. When in doubt...ASK!

Your department supervisor/liaison or your volunteer coordinator/director is a good place to start for answers to your questions...or for reporting issues.

XI. **Remember To...**

- **ALWAYS STOP** and ask yourself, should I be sharing this patient or client information? If it doesn’t pertain to TPO, don’t discuss it!
- Think of patient or client information about fellow volunteers, neighbors, and acquaintances as protected information, not for sharing!
- Dispose of patient or client information by placing in appropriate shredding bins...never in an open wastebasket.
- Turn computer screens off if you leave the station for any reason.
- Report all abuses – enforcing the regulations is everyone’s responsibility!