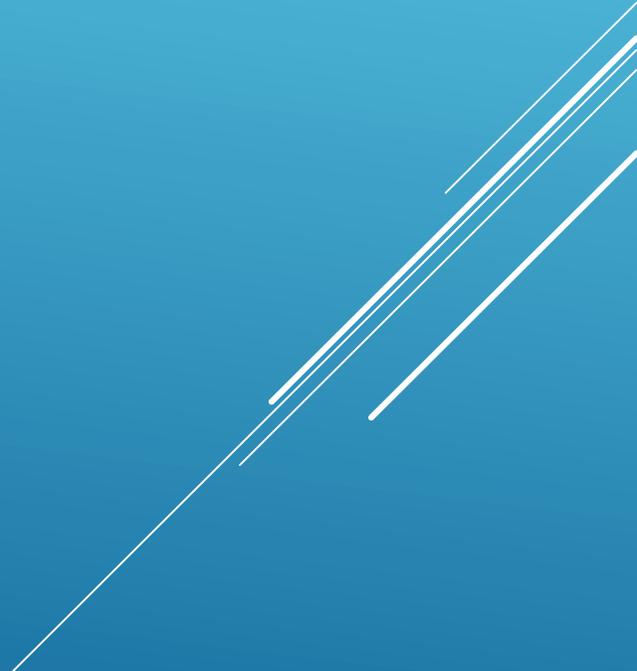


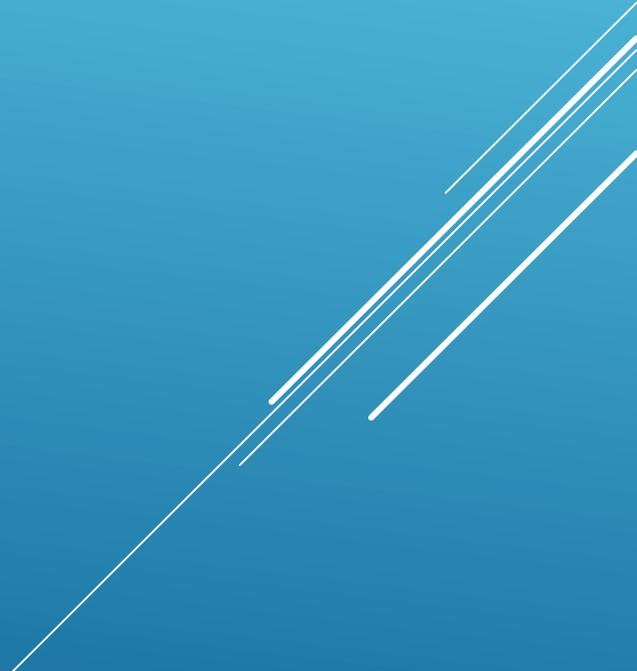
HIPAA & CONFIDENTIALITY

The image features a solid blue background with a gradient from light blue at the top to a darker blue at the bottom. In the lower right quadrant, there are several white, parallel diagonal lines of varying lengths and positions, creating a sense of motion or a modern design element.

WHAT IS HIPPA?

- ▶ The **H**ealth **I**nsurance **P**ortability **A**ccountability **A**ct is a federal law governing the confidentiality of protected health information.
 - ▶ In order for us to properly do our jobs we will have access to a vast amount health information about the people we serve.
 - ▶ We have a responsibility to ensure that this information is properly safeguarded and protected?
- 

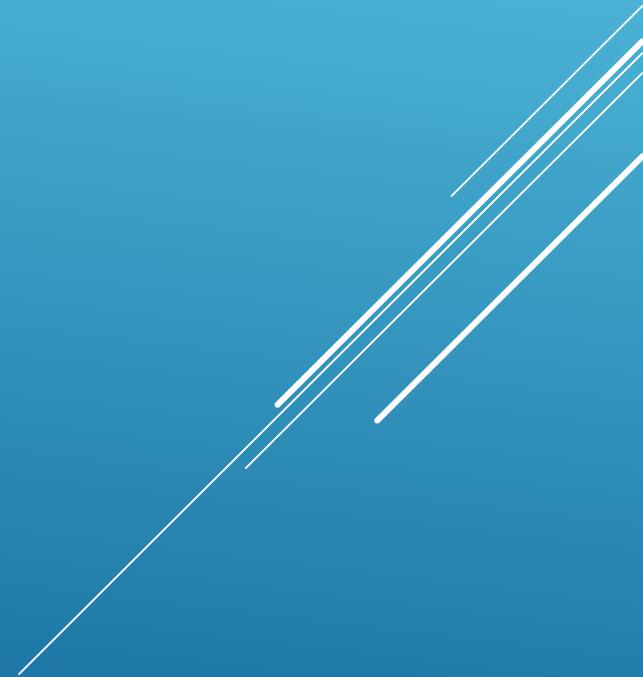
WHAT IS PROTECTED?

- ▶ Take a second to think about what kinds of information about the people receiving your services you think would be confidential:
 - ▶ Name
 - ▶ Address
 - ▶ Diagnosis
 - ▶ Health Insurance information
 - ▶ Medicaid/ Medicare
 - ▶ Social Security Information
 - ▶ Documentation regarding notes
 - ▶ Even the fact that they are someone receiving your services is confidential!
- 

GET HIP ABOUT HIPAA



Before moving on watch the above video created by YAI entitled "Lets get hip about HIPPA" (Please note, you must watch all 22 minutes of this video)



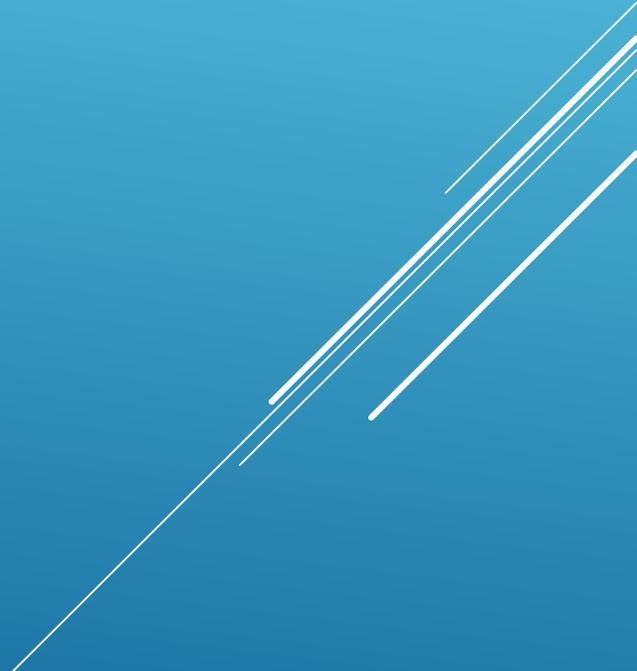
WHEN CAN WE DISCLOSE PHI?

- ▶ Service providers can disclose PHI for a few different reasons:
 - ▶ For routine disclosures
 - ▶ For exceptional cases
 - ▶ When we obtain a consent or authorization form
 - ▶ When we are sharing information please remember to only share the minimum amount necessary
- 

ROUTINE DISCLOSURES

- ▶ The following are considered routine disclosures of PHI where we can share information:
 - ▶ **Treatment:** information shared between two service providers that are directly related to the services being provided
 - ▶ **Oversight:** Information shared with oversight agencies (OPWDD, Justice center, OMIG etc.) for the purpose of ensuring proper service delivery
 - ▶ **Payment:** Information shared with business offices and Medicaid/Medicare for funding purposes.
 - ▶ **Safety/Emergencies:** Information shared in emergency situations that directly effect the immediate health/safety of the person receiving services

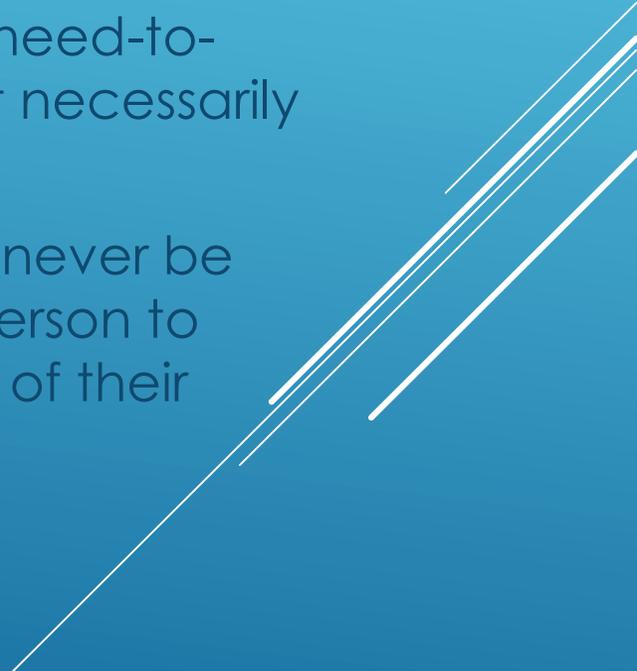
EXCEPTIONAL CASES

- ▶ Exceptional cases are occurrences of non-routine disclosure of PHI that can occur because the party requesting the information has the legal authority to access it
 - ▶ Examples: Child Protective Services, Adult Protective Services, law enforcement, judges with a subpoena, or a legal guardian of the person receiving services
- 

CONSENT & AUTHORIZATION FORMS

- ▶ There are two different forms that can give service providers the ability to share information with outside parties. They are:
 - ▶ **Consent Form:** This form gives the service provider the ability to share almost all of the information about the person receiving services to another entity. For example if someone receiving our services switched primary care physicians they would sign a consent form so that we could have open communication with the new physician.
 - ▶ **Authorization Form:** This form is more specific than the consent form and gives the service provider specific instructions about what information can be shared. For example, if someone we support is applying for a new job and needs the assistance of their job coach for the first few shifts, they may sign the authorization form so the job coach can give the employer some details about what they are helping the person with but no other information.

HIPAA AND HIV/AIDS

- ▶ HIPAA makes special provisions to further protect the confidentiality of HIV/AIDS related information of the people we support.
 - ▶ HIV/AIDS related information can only be shared on a very strict “need-to-know” basis. **NOTE:** Simply providing services to someone does not necessarily mean that you “need-to-know”
 - ▶ For example, a staff member can support someone for years and never be told that the person is HIV positive until it is their job to take that person to their doctor's appointment and assist them in informing the doctor of their condition.
- 

ASSESSMENT

- ▶ In order to complete this lesson, please ask for the written assessment for this training which will be graded and entered into your employee file.
- 
- A decorative graphic consisting of several parallel white lines of varying lengths, slanted upwards from left to right, located in the bottom right corner of the slide.

HIPAA Assessment

Name: _____

Date: _____

Site: _____

Supervisor: _____

Directions: Now that we have reviewed HIPAA in detail; try to determine if the staff in each question followed HIPAA regulation. Read each question carefully, and then write T (true) if they did follow HIPAA regulation or F (false) if you think it was a violation underline where the staff committed the violation.

1. _____ Taylor a community habilitation worker was at Tops with Jenn a person she works with. While shopping through the store Taylor sees a friend of hers and introduces Jenn as a person on her caseload that she works on grocery shopping with every Monday.
2. _____ James has a diagnosis of epilepsy and this morning he had two seizures before he went to program. Kelly a staff in his home called his day program to let the staff there know he has had two out of three seizures and if he has a third they will need to call 9-1-1.
3. _____ Oliver is a New York State surveyor and has conducted a surprise survey of the Main Street IRA. While there he asks staff a few questions about Janice's ISP. Joe a staff at the IRA tells the auditor about all of Janice's goals she is currently working. Oliver also asked Joe who her primary physician was and when her next doctor's appointment will be. Joe provided all personal health information for every question asked.
4. _____ Bernice was out with another coworker Derrick after work at Target. As they were shopping for Christmas presents they began talking about the people they support at work. They talked about how well Jane is doing with all of her goals; they also referred back to her developmental disability diagnosis frequently. An employee at Target was interested in what they were talking about and stated they would like to apply for a job at the agency as well because he also has a family member just like Jane with the same diagnosis.
5. _____ David a new staff at the Main street IRA recently found out that he gets to assist John with going to a doctor's appointment. On the way to the doctor's office John felt comfortable enough to tell David that he was HIV positive and that's what his check-up was for. When they returned home David informed another staff that they should put gloves on when assisting John in the bathroom because of his HIV positivity.
6. _____ Jesse is a Community Habilitation DSP and she was assisting Jose with grocery shopping at Wegmans. While they were in the checkout line Jose was taking his time with counting out his money to give to the cashier. The person behind them became agitated and made a comment. Jesse turned around and stated "Please hold on, he has an intellectual disability so it will take him a little bit of time."

Please click the following link to complete the HIPAA & Confidentiality Test. This test will be printed and saved to your training file.

<http://goo.gl/forms/vhECxzBn3M>

