

Periodontology Associates of Lexington

HIPAA OVERVIEW

What is HIPAA?

HIPAA is the Health Insurance Portability and Accountability Act passed in 1996. The main effect of the HIPAA law on dental practices is the Administrative Simplification Provisions.

What are the Administrative Simplification Provisions?

They include transaction and code set standardization (ADA codes), security standards (computer access), and the Privacy Standards.

What is the simplified explanation of the Privacy Standard?

The Privacy Standard simplified states a good faith effort is made by any person with access to a patients PHI (personal healthcare information) to maintain the privacy and confidentiality of this information.

What is included in the PHI?

PHI (personal healthcare information) includes any information relating to any individuals health, healthcare, or payment for healthcare. This includes but is not limited to: treatment, insurance information, health history, dental history, as well as personal information such as name, address, social security number or date of birth. PHI is any information that can be tied back to the patient. PHI in any form is confidential, including paper, film, email, fax, and verbal. It includes all formal and informal notes such as phone messages.

When is it allowable to disclose PHI?

Uses and disclosures are allowed for treatment, payment and health care operations. This includes information to insurance companies and dentists to which treatment is referred.

When is it not allowable to disclose PHI?

You may not disclose treatment or payment details to spouses, parents of children over age 18, or any adult patient to any other person without the direct consent of the patient. This means we may not discuss bills with any person other than the patient without the patients consent. We may not release dental records or x-rays to any outside dental provider without written consent of the patient, unless it is in an emergency situation. You may not disclose PHI to other staff members.

Am I allowed to disclose PHI to our labs?

There are restrictions to disclosure of PHI to outside businesses. Any business that is not directly related to providing treatment, payment or operations to our patients is a business associate. Dental labs are providing treatment, and have their own HIPAA policy. Any other business that is receiving PHI must have a business Associate Agreement (BAA) in place with CNE Dental. These include Trojan and Sofdent Electronic Claims. The BAA is kept in a central file in our practice. If you find it necessary to release PHI to any company other than labs, please confirm that BAA is needed.

What is our obligation under HIPAA?

We make a good faith effort to secure patient acknowledgement of receipt of our notice of privacy before we use or disclose of PHI. We adhere to the minimum necessary standard, which requires that you use or disclose only the information that is needed to accomplish the intended purpose.

What happens if we do not comply with HIPAA?

HIPAA is not going away. On a company basis, violations should be reported so action may be taken. Consequences range from education to termination of employee. Under the federal HIPAA law, failure to comply with HIPAA regulations may result in civil or criminal action against a practice and any individual member. HIPAA holds individuals responsible for inappropriate disclosure of PHI. Civil penalties can be assessed up to \$25,000/person/violation. Criminal penalties up to \$250,000 and 10 years in prison. The individual staff member may be responsible for fines and prison time.

Any questions?

Make any inquiries or questions concerning HIPAA regulations and PHI to your practice manager or doctor. IF IN DOUBT, ASK! There are no silly questions regarding patient confidentiality.

REMEMBER, HIPAA is not difficult and its principles are not new. Patient Confidentiality has always been protected. Make patient confidentiality a priority!

I, _____ have read the HIPAA Overview.
Print name

Signature

Date