*This homework is* ***required*** *and is scored out of* ***100 points****.*

1. Check Your Understanding

2 Define:

Access report - This is a report that provides a list of individuals who accessed patient information during a given period.

Administrative simplification - It is HIPAA’s attempt to streamline and standardize the healthcare industry’s non-uniform business practices

ARRA - American Recovery and Reinvestment Act

Admissibility - It is the condition of being admitted into evidence in a court of law

Breach - It is the acquisition, access, use or disclosure of protected health information in a manner not permitted under subpart E of this part that compromises the security or privacy of the protected health information.

BA - Business Associate

CLIA - Clinical Laboratory Improvement Amendments of 1988

Confidentiality - It is the sharing of private thoughts in confidence with someone else.

Complaint - It is an allegation about an entity’s policies and procedures

Consent - The document signed by the patient that indicates agreement that protected health information can be disclosed.

Covered entity - It is a person or an organization that must comply with the HIPAA Privacy Rule.

Deidentified information - This is to de-identify the person or provide a reasonable basis to believe the person could be identified from the information.

HHS - Department of Health and Human Services

DRS - Designated Record Set

E-discovery - It is the same pretrial process as discovery, but parties now obtain and review electronically stored data.

Facility directory - It is a directory of patients being treated in a healthcare facility

FRCP - Federal Rules of Civil Procedure

FRE - Federal Rules of Evidence

FTC - Federal Trade Commission

HITECH - Health Information Technology for Economic and Clinical Health Act

HIPAA - Health Insurance Portability and Accountability Act

Hearsay - A written or oral statement made outside of court that is offered in court as evidence

Legal hold - It is a court order to preserve a health record if there is concern about destruction

Medical identity theft - It is a crime that challenges healthcare organizations and the health information profession.

Minimum necessary - It requires uses, disclosures, and requests must be limited to only the amount needed to accomplish an intended purpose.

ONC - Office of National Coordinator for Health Information

Personal representative - It is a person who has legal authority to act on another’s behalf.

Preemption - Federal Law superseding state law.

PHI - Protected Health Information

Red Flags Rule - It is the five categories of red flags that are used as triggers to alert the organization to a potential identity theft

Right to request amendment - The right that one may request that a covered entity emend PHI or a record about the individual in a designated record set

Spoliation - It is the act of destroying, changing, or hiding evidence intentionally

TPO - Treatment, Payment, and Operations

Warrant - It is a judge’s order that authorizes law enforcement to seize evidence and, often, to conduct a search as well.

Sale of information - It is the prohibition of a covered entity or BA from selling in exchange for an individual’s PHI without that individual’s authorization.

3. You should always have the actual language of the HIPAA  privacy regulation at your fingertips should questions  about i**nterpretations** arise.

  1. Review Breach Notification. Evaluate the information offered  and how to report a breach.

Breach Notification is a regualtion which requirs healthcare providers and other entities to notify individuals when their health information is compromised with and what steps are being taken by the healthcare organization in quation to fix the problem and the steps they are going to take to make sure something of that sort will not happen again.

Anybody who believes that his/her Health information has been shared can file a complaint with the OCR office. This can be done by writing, sent ny mail, fax or email. Be sure to include your name, full address, telephone numbers email address, full name, address and telephone number of the person, agency or organization you belive violated your health information privacy rights. Briefly describe what happened including who why and when you believe a person impermissibly disclosed patient safety work product. Add any other relevant information. Sign and date your complaint (HHS.gov, Health Information Privacy/ filing a complaint)

   2. Review Special Topic and choose Health Information Technology.   Visit the various sites and summarize your findings as they relate to this chapter.

<http://www.hhs.gove/hipaa/for-professionals/index.html>

 The privacy rule gives us a strong foundation for the development of Health Infiermation exanchange relationships and models. The policies provide a balance between protecting the individual's health information and the assurance that such information will be availabelto those who would like to acces it to give care and for other reasons. Private policy allows an entitity to create and receive PHI on its behalf as long as the entity obtains an agreement that the entity will safeguard the information properly.

4. Visit the State of Maine website.

 What are the various state laws related to ownership of the health record?

The Health records shall be maintained for each person receiving service at the hospital or its extended service sites.

The records shall be preserved, either on paper or by other electonic/optical means for a period of seven years if the patient is a minor, the record ust be etained for at least six years past the age of majority.

The records must be secured in a manner that provides protecton from unauthorized access, use, or damage. (MeHiMA - Retention of Health Records).

5. Evaluate/summarize the following website and information that is offered.

<http://www.hhs.gov/ocr/index.html>

Through the federal civil rights laws and HIPAA Privacy Rule, Office of Civil Rights protects our fundermental and health information privacy rights by:

Teaching health and social service workers about civil rights, health information privacy, and patient safety confidentiality laws.

Educating communities about civil rights and health information privacy rights

Investigating civil rights, health information privacy, and patient safety confidentiality complaints to identify discrimination or violation of t law and take action to correct problems.

6.Retrieve 2 articles from the internet that have been written in the past year on privacy compliance. Summarize the important concepts. What have you discovered from this search that is not addressed in this chapter?

In May 2016, HIPAA reviewed its privacy rules concerning the use and disclosure of protected health information. It permitted uses and disclosures. It said a covered entity or a business associate is permitted to use or disclose protected information for treatment, payment or helthcare operations as permitted my and in compliance with subsection 164.506.

([http://www.himss.org](http://www.himss.org/))

[http://www.ahima.org](http://www.ahima.org/)

[http://www.fierchealthcare.com](http://www.fierchealthcare.com/)

[http://www.healthcareitnews.com](http://www.healthcareitnews.com/)

[http://www.himss.org](http://www.himss.org/)

7. Do you think there are problems with any of the HIPAA  Privacy rule's exceptions to the authorization requirement?

No I do not think there are problems with any othe HIPAA Privacy rules exception to the authorization requirement, they all seem perfect.

Do the exceptions minimize patient privacy?

In my opinion, No.

Are there too many exceptions?

No there are not too many exeptions.

Are there other exceptions that you would include if you were asked to become involved in revising the law?

 No