

The Health Insurance Portability and Accountability Act (HIPAA)

A guided tutorial for GVSU
employees

Who Needs Training?

- Employees who come in contact with Protected Health Information including:
 - Benefits Office of Human Resources
 - Payroll and I.T. Employees with access to certain employee payroll information
 - Students and Faculty who work with clinical placements
 - Ferguson Health Clinic students and staff

What is HIPAA?

- HIPAA, a federal law, is also known as Public Law 104-191 (1996)
- It is overseen by Centers for Medicare and Medicaid Services (CMS)
- It is designed to give patients control over their Protected Health Information (PHI) and to protect confidentiality of PHI

What is PHI?

- Any individually identifiable health information
 - Created or received by a health care provider, health plan, employer or health care clearinghouse
 - Relating to the past, present or future physical or mental health or condition of an individual
 - Transmitted in any form or medium

Examples of PHI & Individual Identifiers

(sample list, not exhaustive)

- Name, address, social security number
- Date of birth, phone number, medical chart number
- Medical charts
- Photographs
- Communications between professionals
- Health insurance policy numbers

Who has to comply with HIPAA

- Health Plans
 - GVSU is self insured and we are covered under this category
- Health Care Clearinghouses
- Any Health Care provider who transmits any health information in electronic form
 - GVSU's Family Health Center would be covered under this category

GVSU is a “Hybrid” entity under HIPAA

- Because the main focus at GVSU is education, not health care, we are defined as a hybrid entity under HIPAA. This simply means that only those departments that interact with PHI are required to comply with HIPAA regulations and receive training.

HIPAA and FERPA

- HIPAA and FERPA (Family Educational Rights & Privacy Act) are treated differently
- If a student record is protected under FERPA, it may not be disclosed under HIPAA unless the student has given written permission for disclosure

HIPAA Privacy Rule

- This establishes safeguards to protect the confidentiality of medical information
- Gives patients more control over their health information
- Sets boundaries on the use and release of health records

Notice of Privacy Practice (NPP)

- HIPAA covered entities must notify all eligible patients/employees of their rights under HIPAA by providing a Notice of Privacy Practice or NPP
- A copy of the GVSU NPP can be found by going to: [Privacy Notice](#)

HIPAA Privacy Rules Facts

- The rules apply to all oral, written, or electronic records of covered entities
- HIPAA prohibits the use of records for marketing without prior authorization
- PHI that has been de-identified is not subject to the privacy rule
- A HIPAA team must be appointed by each covered entity
- The team must assign a Privacy Officer
- The team must assign a Security Officer

HIPAA Privacy Officer

- Maureen Walsh, AVP and Chief Human Resources Officer, is the GVSU HIPAA privacy officer.
- The Privacy Officer develops and implements the HIPAA compliance plan
- The Privacy Officer is responsible for enforcement of the privacy rules and sanctions if violated

HIPAA Security Officer

- Another component of HIPAA compliance requires that security measures be in place to protect information that is electronically transmitted.
- Bill Fisher of Information Technology is our Security Officer. You can reach Bill at 1-2132 or at fisherb@gvsu.edu if you believe there has been a breach of electronic security.

Why Should I Care about HIPAA?

- Violation of HIPAA carries criminal penalties
 - For Failure to Comply: \$\$ fine & possible exclusion from Medicare participation
 - For Wrongful Disclosure of PHI: \$50,000, imprisonment of up to one year, or both
 - For Obtaining Information under False Pretenses: \$100,000., imprisonment of up to five years, or both
 - For Obtaining PHI with the intent of selling it: \$250,000., imprisonment of up to ten years or both

HIPAA Web Links

- <https://www.hhs.gov/hipaa/index.html/>

HIPAA Tutorial Confirmation

Please send an email confirmation to the Director,
Benefits and Wellness that you have completed
your review of this tutorial:

smithdav@gvsu.edu