

The background of the slide is a light-colored, textured surface resembling a spiral-bound notebook. The spiral binding is visible on the left side, with the metal coils curving around the edge. The text is centered on the page.

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

- Mychal Coleman, 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.
- Luke DeMott of Information Technology is our Security Officer. You can reach Luke at 1-2035 or at demottl@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 Sr Manager Benefits that you have completed your review of this tutorial:

bivenst@gvsu.edu