

HIPAA AGREEMENT

Privacy and Confidentiality

The Health Insurance Portability and Accountability Act of 1996 (HIPAA), is a federal law which, in part, protects the privacy of individually identifiable patient information and provides for the electronic and physical security of health and patient medical information, and simplifies billing and other electronic transactions through the use of standard transactions and code sets (billing codes). HIPAA applies to all "covered entities" such as hospitals, physicians and other providers and health plans as well as their employees and other members of the covered entities' workforce.

Privacy and security are addressed separately in HIPAA under two distinct rules, the Privacy Rule and the Security Rule.

The Privacy Rule sets the standards for how all protected health information should be controlled. Privacy standards define what information must be protected, who is authorized to access, use or disclose this information, what processes must be in place to control the access, use and disclosure of information, and to ensure patient privacy rights.

The Security Rule defines the standards that require covered entities to implement basic security safeguards to protect electronic protected health information (ePHI). Security is the ability to control access and protect electronic information from accidental or intentional disclosures to unauthorized persons and from alteration, destruction, or loss. The standards include administrative, technical, and physical safeguards designed to protect the confidentiality, integrity, and availability of ePHI.

PRIVACY RULE

Purpose of Privacy Rule

To protect and enhance the rights of consumers by providing them access to their health information and controlling the inappropriate use of that information;

Highlights of Privacy Rule

The Privacy Rule requires that access to **protected health information (PHI), which includes electronic PHU (ePHI), by CHHS Board Members, professional employees, contractors be based on the general principle of "need to know" and "minimum necessary,"** in which access is limited to the patient information needed to perform a job function.

The HIPPA Privacy Rule also accords certain rights to patients, such as:

Right to request access to their own health records

Right to request and amendment of information in their records

Right to receive an accounting of disclosure of their information