

HIPAA Overview

HIPAA Timeline

- August 21, 1996 President Clinton signed the Health Care Portability and Accountability Act, (HIPAA), into law, [H.R.3103]
- December 27, 2001 President Bush signs the Administrative Simplification Compliance Act, (ASCA or H.R.3323) into law.
- October 16, 2002 Covered entities must begin to implement the Transaction and Code Set unless they filed for an extension.
- Feb 20, 2003
 - Security Standards were adopted
 - Final Rules pertaining to adopting changes to the HIPAA Electronic Transactions and Code Set Standards is published.
- April 14, 2003 HIPAA Privacy Rules to be adopted by all covered entities.
- April 16, 2003 Entities must implement their compliance plan in order to receive an extension
- October 16, 2003 All Entities must comply with Transaction and code set law.
- July 30, 2003 All Entities covered shall have an EIN
- April 20, 2005 All covered Entities must implement the Security Rule Standard.

HIPAA was suppose to make things simpler.

- Title I:
 - Title I of HIPAA protects health insurance coverage for workers and their families when they change or lose their jobs.
- Title II:
 - Title II of HIPAA, the Administrative Simplification provisions, requires the establishment of national standards for electronic health care transactions and national identifiers for providers, health insurance plans, and employers.

HIPAA

What it brought us

- Privacy Provision was initially 337 Words
- Current Legislation over 101,000 words.
- Confusion
- Costs
- Paranoia

HIPAA as law

- Case study
 - Richard W. Gibson, who worked at the Seattle Cancer Care Alliance, had been sentenced in November to 16 months in federal prison for violating a medical-privacy law known as the Health Insurance Portability and Accountability Act (**HIPAA**). It was the first conviction nationwide under the law, which took effect in 2003.

HIPAA Interpretation of law

- Justice Department ruled that most health-care employees can't be prosecuted for stealing personal data under the **HIPAA** law. The ruling could stop federal prosecutors from pursuing some of the more than 13,000 complaints that have been filed alleging violations of those rules.
- The case can be challenged by the defense.

*Seattle Times

HIPAA Security Rule

- Protect against any reasonable threats or hazards to the security or integrity of such information
- Protect against any reasonably anticipated uses or disclosures not permitted
- Ensure the confidentiality, integrity, and availability of all electronic patient healthcare information.
- Consistency and compatibility across covered entities
- Ensure workforce compliance
- Cost effective
- Unambiguous
- Predictable

HIPAA Security Rules

- Covers items not otherwise covered in the Privacy rule.
 - Access of Data
 - Encryption of Data
 - Communications of Data

HIPAA Security Rule

- Access
 - Auditing of user access to patient information
- Communication of data
 - Data that is transmitted that contains Health care provider information in regards to patient care
 - Subject to exploitation
 - Faxing
 - Telephone