

HIPAA RESPONSIBILITIES AND CONSIDERATIONS FOR PHARMACY TECHNICIANS

Live Session



Session Agenda

Welcome

1. HIPAA Overview

2. HIPAA Privacy Rule

3. HIPAA Security Rule

4. HIPAA Violations

5. Application of HIPAA to Pharm Techs

Session Wrap-up

By the conclusion of today's session, you will be able to:

- **State the main goals of HIPAA**
- **Describe the basic functions of the HIPAA Privacy and Security Rules**
- **Provide examples of when Personal Health Information (PHI) can be disclosed without authorization**
- **Differentiate between Tier 1, 2, 3, and 4 HIPAA violations**
- **List best practices for upholding HIPAA in the pharmacy setting**

Course Objectives



Zoom poll

What year was the Health Insurance Portability and Accountability Act (HIPAA) enacted?

- a) 2006**
- b) 1986**
- c) 1996**
- d) 2016**

Activity Instructions:

- After the Zoom poll is launched, answer the question by clicking on your answer choice
- Results are anonymous

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HIPAA Overview

Health Insurance Portability and Accountability Act of 1996

Enacted to:

- Adopt national standards for electronic health care transactions
- Protect personally identifiable health information (PHI)
- Protect insurance coverage for workers/families who change jobs

Overall Goals:

- To limit the use of PHI to those with a “need to know”
- To penalize those who don’t comply with confidentiality regulations

Why does HIPAA apply to pharmacies?

HIPAA applies to “Covered Entities”

- People/organizations that transmit any information in electronic form

Activity: Name some of the covered entities HIPAA applies to.

Activity Instructions:

- Put your answers in the chat.

Examples of Covered Entities

- **Pharmacies**
- Physicians
- Clinics
- Dentists
- Chiropractors
- Psychologists
- Nursing Homes



The FIVE HIPAA RULES

For this training, we will focus only on the **Privacy** and **Security Rules**



Privacy Rule

- Limits access to PHI



Security Rule

- Establishes safeguards to protect PHI



Breach Notification Rule

- Requires notification of breaches within 60 days



Enforcement Rule

- Dictates how investigations occur



Omnibus Rule

- Requires organizations to comply with patient requests

HIPAA Privacy Rule



The Privacy Rule addresses privacy of PHI in several ways:

- Establishes standards outlining an individual's rights regarding their PHI
- Dictates proper use and disclosure of an individual's PHI
- Requires covered entities to provide a Notice of Privacy Practices so that an individual understands how their health information is being used

Activity: What are some examples of PHI?

Activity Instructions:

- Put your answers in the chat.

PERSONALLY IDENTIFIABLE INFORMATION (PHI)



Examples:

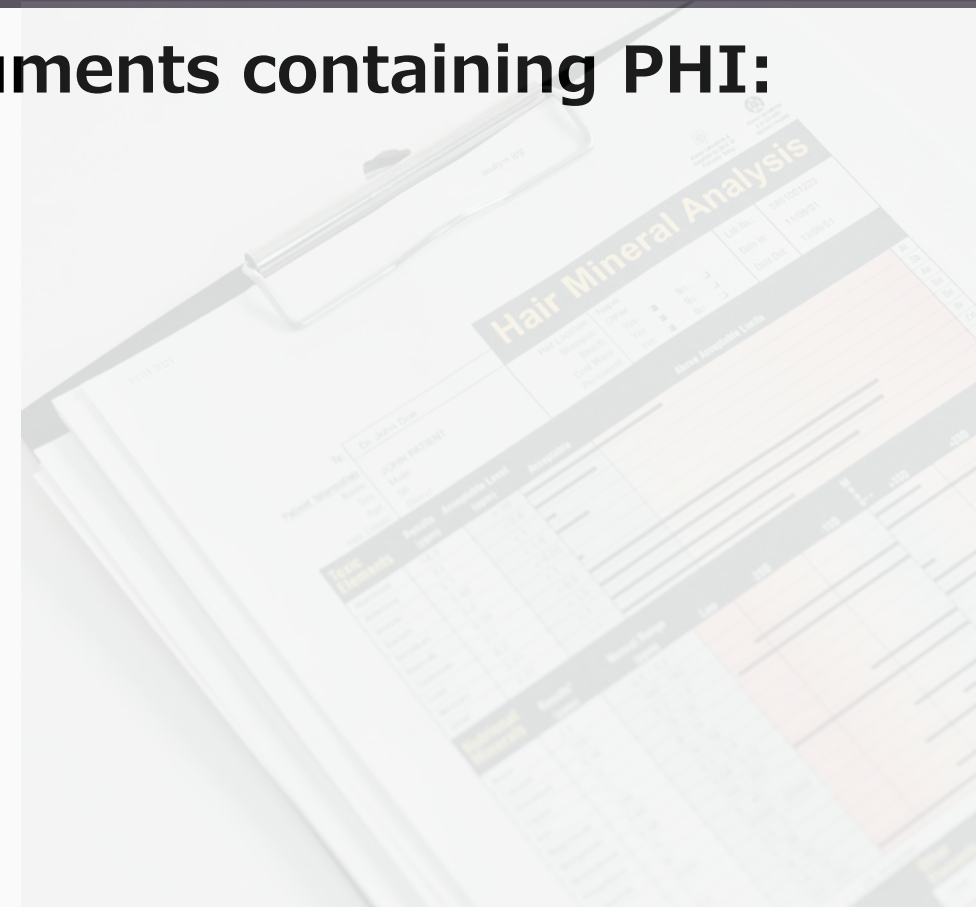
- Patient name
- Address
- Dates (except years) specific to individual
- Phone or fax number
- Email address
- Social security number
- Medical record number
- Health plan beneficiary number
- Web URLs or IP address
- Device identifiers/serial numbers
- Vehicle identifiers (license plate, etc.)
- Biometric identifiers (fingerprints, retinal scan, etc.)
- Full-face photos
- Any other unique code/identifier

WHERE IS PHI FOUND?



Examples of documents containing PHI:

- Health records
- Health history
- Lab test results
- Medical bills



Patient Rights

Patients have the right to:

- Restrict PHI disclosures
- State how they want PHI to be handled/communicated to others
- Receive an account of where PHI disclosures have been made
- Report suspected violations to the Office of Civil Rights

Covered entities must obtain an individual's written authorization for any use of PHI that is not for treatment, payment, or health care operations



Discussion Question

Scenario:

A woman without identification was struck by a car and is in a coma. Can the hospital release the woman's photo and medical condition to the press to try to find her relatives?

Activity Instructions:

- Use the "raise your hand" button in the Zoom controls.
- Wait for the facilitator to call on you before taking yourself off mute.

PHI DISCLOSURE

PHI CANNOT BE DISCLOSED WITHOUT AUTHORIZATION:

- To obtain psychotherapy notes unless it is for treatment or payment purposes
- For teaching students or others to improve clinical skills
- For marketing purposes or where a profit is made

HIPAA Security Rule



Addresses the administrative, technical, and physical safeguards organizations must maintain to protect a patient's health information

PHI:

- Must remain confidential—not available or disclosed to unauthorized persons
- Must not be altered or destroyed in an unauthorized manner
- Must be accessible and usable on demand by an authorized person

How does the Security Rule affect employees?

- Restricts who can access specific databases
- Requires user IDs and passwords to prevent unauthorized access
- Requires creation of log files to show who has accessed/attempted to access sensitive information



As an employee, it is critical that you:

- **Never disclose your username and/or password to others**
- **Perform all scheduled computer backups promptly**



Zoom poll

Activity Instructions:

- After the Zoom poll is launched, answer the question by clicking on your answer choice
- Results are anonymous

Scenario:

TRUE OR FALSE?

You and another pharmacy tech are working the same shift. Both of you are scheduling Covid-19 vaccination appointments for customers. You schedule a patient and then need to run to the bathroom. You forget to log out of the scheduling software before you go.

A new customer comes in and your coworker needs to schedule a vaccination. Since you are both physically present in the building and both of you are accessing the same scheduling software, it's OK for your coworker to schedule the new customer using the screen you were currently logged in to.

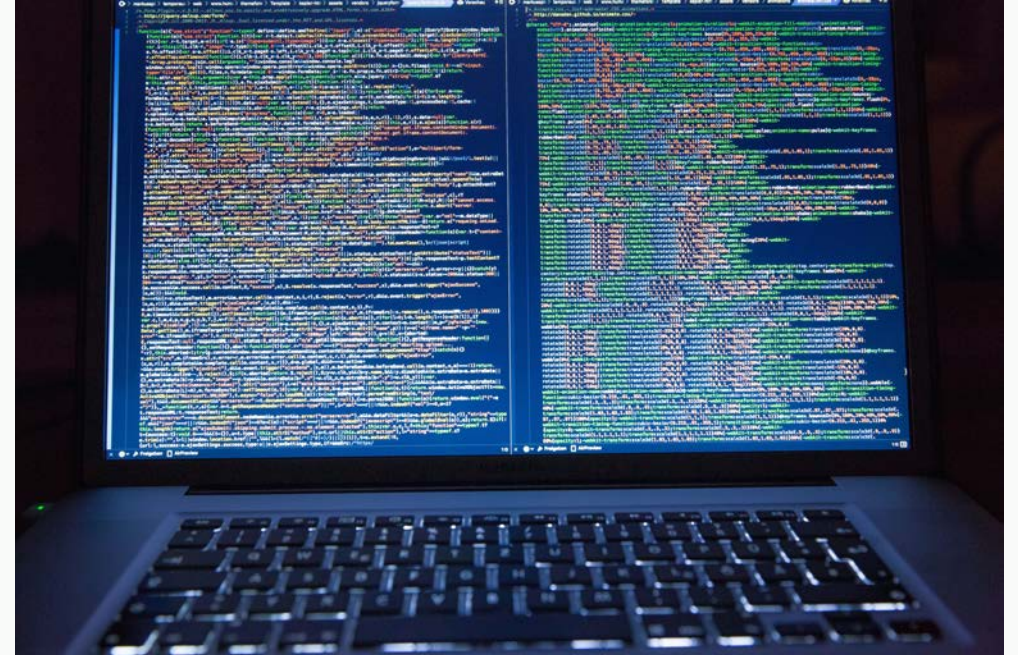
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HIPAA Violations

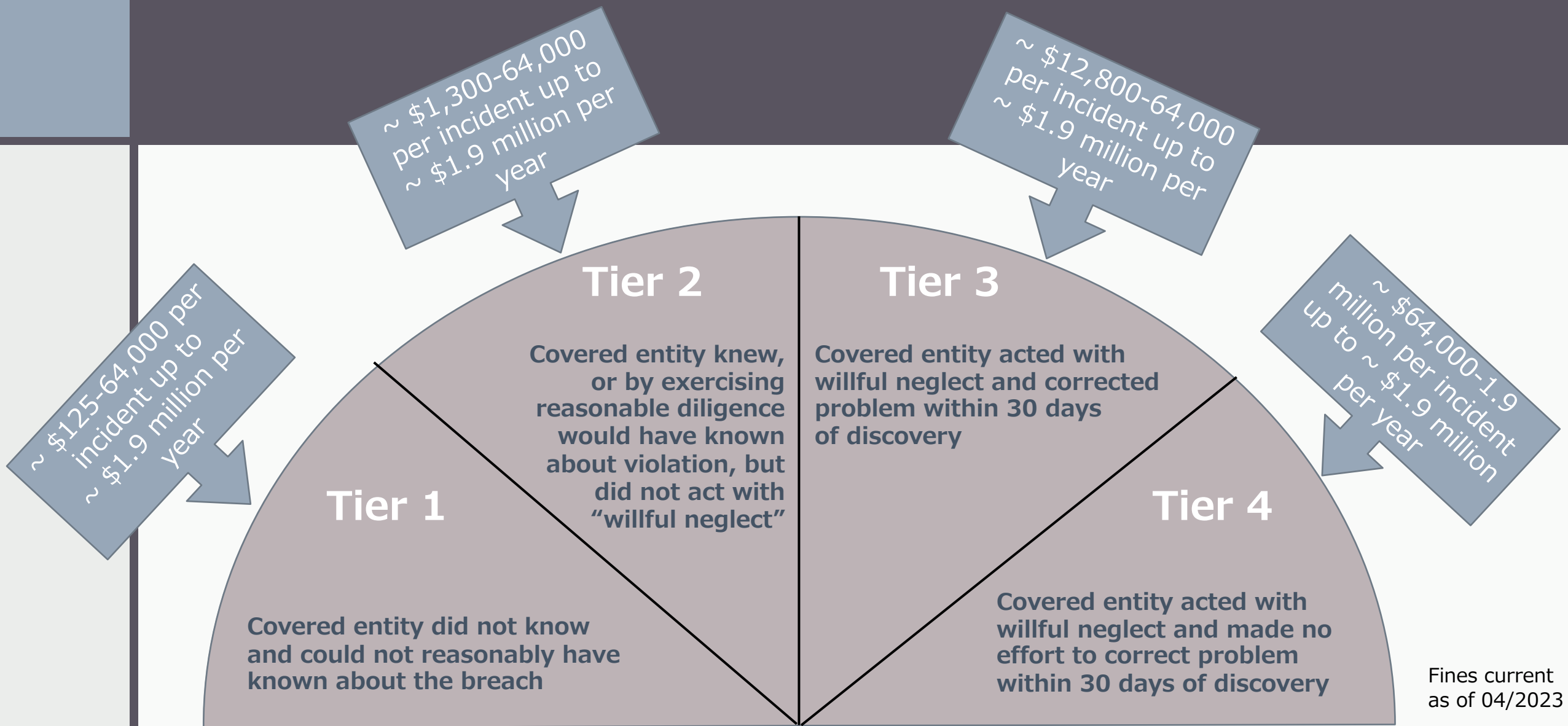
Breach: unpermitted use or disclosure that compromises the privacy or security of PHI

Determining factors:

- Nature and extent of PHI info involved
- Who the unauthorized person is
- Whether the PHI was actually acquired or viewed
- Extent to which risk to PHI has been mitigated



Penalties for Violations



Most Common Employee Violations

Activity: What do you think are the most common employee HIPAA violations?

Activity Instructions:

- Put your answers in the chat.

- Snooping on healthcare records
- Emailing PHI to personal email account/removing PHI from healthcare facility
- Leaving portable devices and paperwork unattended
- Releasing patient information to unauthorized individual or without authorization
- Disclosing PHI to third parties
- Impermissible disclosures of patient health records
- Downloading PHI onto unauthorized devices

MOST COMMON EMPLOYEE VIOLATIONS



Real Examples of Misuse

- **Improper disposal of old pill bottles**
 - CVS (2009) fined \$2.25 million
 - Rite Aid (2010) \$1 million settlement
- **Unauthorized access of PHI**
 - Walgreens fined \$1.4 million
- **PHI accessible to unauthorized individuals**
 - Walgreens “Well experience” program
- **Unauthorized access of celebrity PHI**
 - UCLA Health System (2008)
 - Cedars-Sinai Medical Center (2013)

Best Practices for Pharmacy Technicians

- Know the workplace code of conduct, HIPAA policies, and procedures
- Don't share your computer user ID or password
- Always log off the computer, even if only stepping away for a minute
- Ensure computer screen is not visible to patient or the public
- Dispose of all PHI properly
- Disclose only the minimum amount of patient information needed for situation
- Do not assume it's OK to talk in front of family members

- HIPAA protects patient PHI and establishes consequences for non-compliant organizations
- The HIPAA Privacy Rule outlines responsibilities for protecting and disclosing patient PHI
- The HIPAA Security Rule outlines the safeguards that must be maintained to protect patient PHI
- Written authorization is required for any use of PHI that is not for treatment, payment, or health care operations
- Consequences for violating HIPAA vary depending on the severity of the infraction
- All pharmacy technicians must abide by HIPAA regulations by maintaining patient privacy and only accessing PHI they need to know

Session Summary

THANK YOU FOR
ATTENDING TODAY'S
SESSION!

Questions?

