



HIPAA Compliance Basic information

What is HIPAA?

HIPAA is the *Health Insurance Portability and Accountability Act* of 1996 that specifies laws for the protection and use of Personal (or Protected) Health Information (PHI) which is essentially your medical record.

What is HITECH?

In 2010, the Health Information Technology for Economic and Clinical Health Act (HITECH) was passed in order to update HIPAA rules and provided federal funds for deploying electronic medical records (EMR), also referred to as electronic health records (EHR). HITECH upgraded HIPAA because medical records were now in digital form, and as a result, they needed new rules for protection and availability.

What does HIPAA cover?

HIPAA covers the Privacy, Security and Enforcement rules of PHI. The Privacy and Security rules contain information on how one must treat PHI (whether it's electronic or not). The enforcement rules specify what happens if you don't (the penalties).

There are three things that HIPAA requires:

1. **Integrity** of information – The medical record must be accurate.
2. **Confidentiality** – The medical record should only be seen by those with a need to know and all uses of that data should be knowable by the individual.
3. **Availability** – The medical record must be available, in essence, no reasonably avoidable downtime.

Why do these Acts exist?

HIPAA was intended to ease the sharing of Personal Health Information (PHI) between entities that have a need to know while maintaining an acceptable and reasonable level of privacy to the individual whose information is at stake.

HITECH was intended to fund and define sharing rules for Electronic Medical Records (EMR) to further their use in hopes of curtailing growing health care costs.



Who's in Charge?

The acts are administered by the Department of Health and Human Services (HHS) or the Office of Civil Rights (OCR). It is the OCR which has the right to enforce, audit, fine and charge companies/individuals for violations of the act. They interpret the law in the act and write the rules and regulations.

What are the rules and regulations?

The rules and regulations are documented in the Code of Federal Regulations (CFR). Parts 160 and 164 of the CFR are the two that pertain to HIPAA. When someone says they adhere to HIPAA rules, it means they adhere to the paragraphs in those parts. For example, one of the paragraphs say:

Paragraph 164.308(a)(1)(i) Standard: Security Management Practices – Implement policies and procedures to prevent, detect, contain, and correct security violations.

For a complete listing and details go to:

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/index.html>

Health care is going through tremendous reform. Legislative requirements are continuing to evolve. As a result, it's imperative for health care organizations to have a partner they can trust. To find out how you can simply and cost effectively Achieve, Illustrate and Maintain HIPPA, HITECH and Omnibus Compliance contact: