

HIPAA DO's & DON'T's

DO

1. Attend HIPAA educational conferences and seminars to learn about your state's additional requirements and new Federal developments. Appoint and train a Privacy Officer for your office. Have that person train the rest of your staff.
2. Make sure that the Privacy Officer creates and maintains a HIPAA activity log for your office. This is good in the event of a boo-boo and is an excellent CYA procedure.
3. Provide information to those who a client has given you written permission to communicate about his/her request.
4. Do keep your file cabinets locked and out of access of non-essential personnel.
5. Try to provide a secluded area where a client can comfortably discuss their confidential health matter with you.
6. Do have all of your contract professionals who have access to your office or sensitive information (cleaning people, bookkeepers, accountants, attorneys) sign a business associate contract.
7. Do have all of your Board members and Benevolence Committee members sign an agreement that they understand about client confidentiality.
8. Prepare and use a Privacy Notice to be given to each client who requests benevolence and make a record of each client you give it to.
9. Prepare and use an "Authorization for Use and Disclosure of Health Information" to be signed by each person who requests benevolence.
10. Remember that there are many levels of HIPAA compliance (from hospitals to charitable benevolence programs) and at times you may need to conform to higher levels of compliance when dealing with various agencies and health providers.

DON'T

1. Ever sell personal or health related information about an individual to a third person.
2. Talk to anyone about a client's health matter for which the client has not signed a release giving you permission to talk. This includes trainers, stable employees, friends, family members and track security. If an unauthorized individual requests information from you respond professionally, such as: "You know Joe I would love to talk to you about this, but I can't until I get Jane to sign a release so that I can talk to you. Why don't you have her come into my office and sign one that gives me her permission to talk to you?"
3. Don't announce that a person has a health related appointment over the track loud speakers system. You can make a general announcement for an individual to report to your office.
4. Be worried about a violation if a third party overhears you talking about someone's health matter in the normal course of business (i.e. phone conversations with a medical

provider). But be aware of who may be listening to you when you are talking about someone's confidential health information just as you would be if you were talking about your own.

5. Leave case files open on your desk if non-essential personnel have access to your work area.
6. Leave your fax machine or computer unsecured if you use these machines to conduct business about an individual's health matters.
7. Don't discuss requests for benevolence at open board meetings at which there are guests who are not Board Members or Benevolence Committee members.
8. Don't allow board members or committee members to leave a meeting with written material about individual requests for benevolence
9. Overlook the fact that HIPAA guidelines also apply to your EAP, drug and alcohol rehabilitation, counseling and referral programs.
10. Be frightened by HIPAA, it mostly common sense. But don't ignore it either, unless you like fines, jail time, and not being able to do business with other professionals.