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From



Patient Privacy and HIPAA

The trust that patients place in their health care provider is critical to receiving high-quality care. Patients trust their doctor with information they may not share with anyone else. However, with the emergence of electronic databases, patients are increasingly concerned that their information could potentially be accessed by those other than their physicians.

Rules for Patient Privacy

Concerns over the security of confidential medical information are legitimate. Health care organizations across the country lack consistent policies and practices for protecting the confidentiality of personal health information. To eliminate these inconsistencies, the federal government developed standards for patient privacy as part of the administrative simplification provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

The provisions of HIPAA are the first national standards for protecting health information. They are a result of increased public concern over the use and disclosure of health and other personal information as technology makes access to all types of records much easier. The rules are intended to protect and enhance the rights of consumers regarding their health information, control the

inappropriate use of medical records and improve the quality of health care in the United States by restoring trust in the health care system.

HIPAA Privacy Rules

Five basic principles govern the HIPAA privacy rules:

- *Consumer Control* – Patients have new rights to control the release of their medical information.
- *Boundaries* – With few exceptions, a patient's health information can be used for health purposes only.

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- *Accountability* – There are specific federal penalties for people and organizations that violate the HIPAA privacy regulations. The penalties range from a \$100 fine per violation for disclosures made in error, to up to \$250,000 and 10 years in prison for malicious use of medical records.
- *Public Responsibility* – HIPAA provides standards for how medical information should be released for public health, research, fraud and abuse investigations, and quality assessment purposes.
- *Security* – Health care organizations must establish clear procedures to protect patients' privacy.

To learn more about how your health plan or health care provider will comply with the HIPAA privacy rules, contact your health plan's member services department, your physician or your clinic administrator. For more information about HIPAA, please visit www.hhs.gov/ocr/hipaa.



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