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Living in the Electronic World: Focus on HIPAA Privacy & Security

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Objectives

- Describe Health Insurance Portability & Accountability Act (HIPAA) and Health Information Technology for Economic & Clinical Health Act (HITECH)
- Describe the role of the Compliance Program
- Provide overview of HIPAA Privacy and Security regulations and the Breach Notification Rules
- Define, discuss and assess issues within social media related to HIPAA regulations and PHI
- Identify and appraise current trends in healthcare social media with emphasis on costs and impact on for providers and institutions
- Explain what types of PHR are protected by HIPAA

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What do they mean

DVD	HIPAA	OMG	HOB	ARRA
FTD	HHS	LOL	SOB	HITECH
UPS	OCR	ROFL	AAOx3	MU
DHS	PHI	TTYL	PICC	USB
DPW	BNR	BFF	NG	jpeg
DYFS	IFR	IDK	GERD	ppt
FTL	OIG	:)	BM	EHR
McDs	KPMG	<3	SVD	PHR

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HIPAA

Let's break it down

We need to be **HIP** & score an **A** in this **A**ct

Health **I**nsurance **P**ortability

~Making health insurance portable

~Take it with you

Accountability **A**ct

~Hold people accountable when sharing protected health information (PHI)

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More acronyms

- HHS- U.S. Department of Health & Human Services
- OIG- Office of the Inspector General
- OCR- Office for Civil Rights
- PHI- Protected Health Information
- KPMG- accounting firm that performs audits
- BNR- Breach Notification Rule
- IFR- Interim Final Rule

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HIPAA overview

- HIPAA was enacted by the U.S. Congress in 1996 during the Clinton Administration
- Deadline to comply fully with all properties of act by April 14, 2003
- Regulations that address accessing & disclosing of an individual's health information (aka PHI)

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HIPAA overview (continued)

- Privacy Standard
- Security Standard
- Covered Entities
  - Health plan
  - Healthcare provider
  - Healthcare clearinghouse

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What Is a Personal Health Record?

- Types
- Sources
- Covered Entities

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PHR vs. EHR

- Similarities
  -Information, maintenance
- Differences
  -Access, purpose
- Safeguards
  -Access, function

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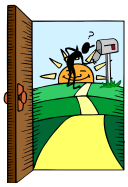
What's on the horizon



- Patient Portals
- Health Information Exchange (HIE)

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Modifications to HIPAA

HHS OCR:

- To issue final rules to modify HIPAA Privacy, Security, Enforcement, & Breach Notification Rules
- To implement HITECH (Title XIII of ARRA)
- To modify Privacy Rule as stated in Genetic Information Nondiscrimination Act (GINA)

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You have a say!

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What you say & Where you say it...

Remember… You leave a trail of digital footprints

Social Networks
-Examples- Facebook, Twitter, Blogs, YouTube, etc.

Things to Consider:
- Connected
- Costly
- Communication in code

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White Paper:
A Nurse's Guide to the Use of Social Media

- Guidelines for patient privacy & confidentiality
- Boards of Nursing (BONs)
- Social media policies
- Computer use for personal reasons
- Website access restrictions
- Website monitoring
- Employee activities outside the workplace

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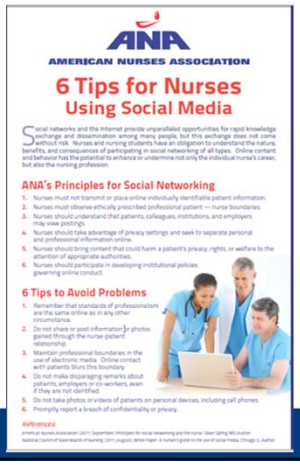

ANA
AMERICAN NURSES ASSOCIATION

6 Tips for Nurses
Using Social Media

Social networks and the Internet provide unparalleled opportunities for rapid knowledge exchange and dissemination among many people, but this exchange does not come without risk. Nurses and nursing students have an obligation to understand the nature, benefits, and consequences of participating in social networking of all types. Online content and behavior has the potential to enhance or undermine not only the individual nurse's career, but also the nursing profession.

ANA's Principles for Social Networking

1. Nurses must not transmit or place online individually identifiable patient information.
2. Nurses must observe ethically prescribed professional patient — nurse boundaries.
3. Nurses should understand that patients, colleagues, institutions, and employers may view postings.
4. Nurses should take advantage of privacy settings and seek to separate personal and professional information online.
5. Nurses should bring content that could harm a patient's privacy, rights, or welfare to the attention of appropriate authorities.
6. Nurses should participate in developing institutional policies governing online conduct.

6 Tips to Avoid Problems

1. Remember that standards of professionalism are the same online as in any other circumstance.
2. Do not share or post information or photos gained through the nurse-patient relationship.
3. Maintain professional boundaries in the use of electronic media. Online contact with patients blurs this boundary.
4. Do not make disparaging remarks about patients, employers or co-workers, even if they are not identified.
5. Do not take photos or videos of patients on personal devices, including cell phones.
6. Promptly report a breach of confidentiality or privacy.

References:

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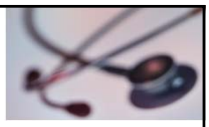
Crossing Boundaries-

Lines are blurred



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