

# HIPAA MADE SIMPLE

## What is HIPAA and why are we telling you about it?

The Health Insurance Portability & Accountability Act of 1996 includes provisions that are intended to protect the privacy of patients. This Law requires us to tell you how we use your health information, when and why we disclose it to others, and how you can get access to it.

## What is the “Notice of Privacy Practices”?

HIPAA requires Physicians to provide a *privacy statement* or (“Notice of Privacy Practices”) to patients beginning on April 14, 2013.

Unfortunately, Congress (mostly lawyers) told us exactly what language to use. Since we have a hard time deciding what it means, we thought you might have the same problem. So, we thought we would give you this simple, straightforward version.

- We will post our Notice in the reception area
- If you want your very own copy, please ask
- If we change our Notice, we'll post that too

## Why do I need to sign an acknowledgement?

The Act says we must get you to sign an “Acknowledgement” stating that we have told you about our Notice. (It doesn't mean you agree, or even understand it... Just that we let you read it.)

## What information is protected by this Law?

Information is protected if it has two (2) components:

- Something that identifies an individual patient
- Medical information about the patient

We call this “Protected Health Information” or **PHI**

The fact that you have an appointment today is **not** PHI. However, the reason for your visit is PHI.

## What do we “routinely” do with your PHI?

We use your information for three (3) purposes: treating you, getting paid, and our health care operations.

For your treatment, we may share your PHI with other health care providers. For example, we might refer you to another doctor, or we may order an x-ray or lab test.

To get paid for our services, we file claims with your insurance company and must provide them with PHI in order to be paid.

For health care operations, we often have people who audit medical records, claims and billing records to ensure we follow all these mountains of rules the Government creates.

These three (3) uses (treatment, payment & operations) are “routine” for all patients and necessary for us to practice medicine.

If you bring a family member into an exam room with you, we will assume it is OK for them to hear our discussion, which will likely include PHI.

## What are our less “routine” uses of PHI?

Physicians are sometimes required to release PHI to certain entities, such as the Health Dept., the coroner's office, the Center for Disease Control, and in response to subpoenas, etc.

For example, there are a lot of Laws that say we must report things. We must report it if you have certain diseases that are contagious. We are required to report certain PHI for workers compensation cases.

In these cases we keep a written record in your medical record, but we do not need your authorization to release the PHI.

We call this written record of releases a "Disclosure Log."

Other than the uses outlined here, we ask we ask for your permission prior to release of your PHI. For example: If you need forms completed for schools, sports, employment, insurance, etc., or if you want a copy of your medical record, we will ask for your permission.

### **What are your rights under HIPAA?**

The Law gives you certain rights related to the privacy of your health information.

- You can have a copy of our "Notice of Privacy Practices". This is free.

We provide these, but we may charge you:

- You have the right to a copy of the "Disclosure Log" discussed in the above section
- You have the right to a copy of your medical record
- Requests for these copies must be made in writing and you will be charged a fee to cover our cost

We may provide these, but it's not required, and we *may* charge you:

- You may request that we send information (like test results, etc.) to you at an "alternative address"
- You may request that we restrict how we use and release your PHI
- You may request that we change or update information in your medical record
- These requests must be in writing, and we are not required to comply with your request. If we do comply, you may be charged a fee to cover our costs

If you wish to make a request related to any of the above rights, we probably have a form with more instructions to help you through the process. Just ask.

### **What should you do if you still don't comprehend or understand?**

We understand. Feel free to ask at the front desk, or talk to the office manager.

### **What should you do if you think our privacy rights have been violated?**

While elements of this law seem cumbersome, we take patient privacy very seriously. Most doctors have always considered patient confidentiality to be an absolute requirement.

If you believe your rights have been violated in any way, we encourage you to contact us.

You may file a complaint with us by contacting:

Dr. David Doering  
1201 W. Linebaugh Ave.  
Tampa, FL 33612  
(813) 933-5365

Or, you may complain to the Secretary of Health & Human Services.