

INSPIRA HEALTH

Be a HIPAA ACE:
Awareness, Collaborate
and Educate



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Speaker Introduction

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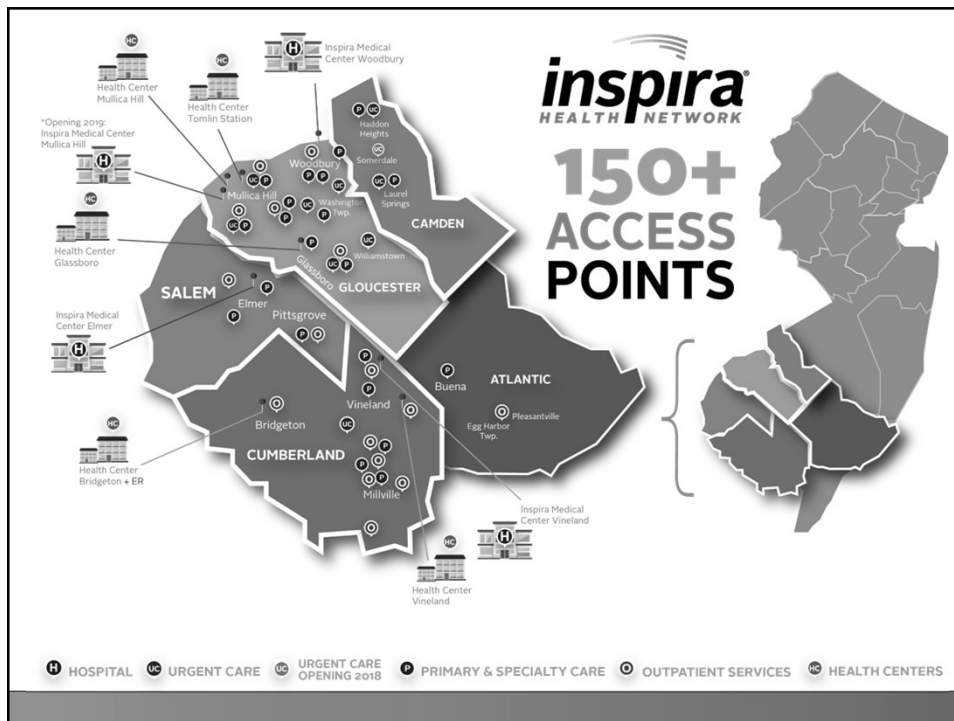
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Speaker Introduction

Joseph A. Piccolo, MBA, CHC
 Vice President, Corporate Compliance
 Inspira Health



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Today's Agenda



- **Awareness** begins at the top. Engage your senior leadership through accountability, audits and your annual workplan.
- **Collaborate** with Information Security, Health Information Management, Human Resources, and Legal to develop a strong focused infrastructure to support your efforts.
- **Educate** using varied platforms to meet the needs of your workforce.



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Awareness



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Awareness

- HIPAA awareness begins at the top.
 - Working with the Board
 - Education at each Board Compliance Committee meeting
 - The Board loves "HIPAA Stories"
 - Board members are patients too
 - Investigations
 - Disciplinary Actions
 - What's in the News
 - Establish a Privacy Committee
 - More on this later
 - Include minutes from the meeting in the Board consent agenda



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Awareness

- Communicate with Senior Leaders
 - Audit results including
 - Physical walk-throughs of offices & departments
 - Identify the Senior Leader responsible for corrective action
 - Monitoring
 - # of alerts generated
 - Trends identified
 - Investigations
 - Description
 - Outcome
 - Track disciplinary actions



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Awareness

- Establish a Privacy Committee
 - Include Information Technology, Human Resources, Health Information Management, and Key Operational Leaders
 - Agenda should include:
 - Investigations
 - Both Privacy and Security
 - Policies
 - Education Activities and Audit Results
 - Committee education
 - OCR/HIPAA Activities
 - Be Disciplined
 - Commitment of Committee Members



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Awareness

- Privacy Committee Responsibilities
 - Liaisons to further advance HIPAA education
 - Input into policy development and approval
 - Examples:
 - Social Media
 - Smart Phones
 - Consistency of disciplinary actions
 - Strong collaboration with IT Security
 - HIPAA is more than privacy
 - Same report out of incidents, education, etc., as is conducted for Privacy



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Awareness

- What Employees Need to Know
 - How to report concerns
 - Open lines of communication, Non-Retaliation, Hotline
 - Policies and where to find them
 - Including consequences for non-compliance
 - What is a HIPAA violation
 - Not every issue is a HIPAA violation
 - HIPAA protects the employee as well as the patient
 - HIPAA should never interfere with patient care
 - Emergency rooms



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Awareness

- Delivering the Message
 - Focused departmental based education
 - Education by “walking around”
 - HIPAA Tip of the Month
 - Keep annual education fresh and timely
 - Use examples and department staff
 - Collaborate with IT
 - Use existing organizational pathways
 - Make Compliance Week Matter
 - Be Visible!



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Collaborate

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Collaborate

- General Counsel/Legal Team
 - Assist with development and updates of Business Associate Agreements
 - Specifically when a vendor requests a change
 - Investigations
 - Determine when investigations should be under the direction of Counsel
 - Assists with reporting requirements and “internal politics”
 - General resource for legal interpretation
 - Seek legal opinion when in doubt



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Collaborate



- Human Resources
 - Compliance recommends-Human Resource implements
 - Collaborate on investigations
 - In general, a HR representative should be involved/aware of any ongoing investigations
 - Ensure that HR and Compliance policies are in sync.
 - Compliance must:
 - Insure that disciplinary actions are fair and consistent
 - Remain independent during investigations
 - Understand the boundaries

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Collaborate

- Information Security
 - Business Associate/Vendor Security Program
 - Vendor risk assessments
 - Upon initiation of the arrangement and at regular intervals thereafter
 - Results of the assessment can assist with any potential BAA amendment requests
 - Limits of liability
 - Access controls
 - Appropriate use of e-mails
 - Transmission of PHI
 - Safeguards
 - Phishing campaigns
 - Physical walk throughs



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Collaborate

- Health Information Management
 - Release of information
 - Understanding the defined data set
 - Request for amendment
 - A HIPAA/Compliance determination
 - Responding to law enforcement
 - Policy overlaps/conflicts



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Educate



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Educate

Why is educating your workforce so important?

- **Increase** staff knowledge and awareness
 - Know rules & regulations
 - Know internal policies & procedures and the Code of Conduct
 - Only then can you hold staff accountable for compliance
 - Know who to call or contact for guidance
- **Lower** risk for inappropriate access or breach to your organization
 - Awareness of the monitoring program (coworker snooping, household snooping, VIP access)
 - Insiders pose the greatest risk for breaches – intentional or accidental
- **Increase** communication between staff and compliance team
 - Encourage reporting when areas of concern or risk are identified
 - Non-Retribution for reporting in good faith
 - Make reporting easy! (i.e.. post phone numbers, hotline, email, web-based)



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Educate

- **New employees**
 - What is HIPAA & PHI?
 - Appropriate Use & Disclosure of PHI
 - HIPAA Policies & Procedures
 - How to report HIPAA concerns
- **Current employees** – annual via on-line solution
 - Updated annually based on trends



GROWTH

- **Compliance Committee/Board Meetings**
 - Board members – they are patients, too!
 - Senior leaders – stewards of the organization

(cont.)

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Educate

- **Medical Staff Meetings**
 - Physician focused education
- **Lunch & Learn** - focused education at staff meetings
 - Educate to your audience
- **Corrective Action** - Mandatory
 - 1:1 when breach has occurred
 - Department-wide after egregious breach/termination



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Educate

- Educate entire workforce by using varied platforms to meet the needs of your organization

VARIETY

- Power Point (new employees)
- On-line (current employees annually)
- Compliance Tip of the Month – emailed to ALL
Based on organizational issues/violations, hotline calls, HIPAA in the news
- HIPAA 101 Brochure – on line, new employees, department educations, 1:1
- Verbal discussions (break rooms) with formal agenda
- Badge Buddies
- Pens, flashlights, lunch bags etc. with Hotline number & catchy phrases
- Compliance Week – visit all Hospital campuses & be seen

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Educate

HIPAA Hints

- ✓ Protected Health Information (PHI) must be kept private!
- ✓ Use and disclose PHI for treatment, payment and operations as permitted by federal and state law.
- ✓ Think about where you are and who can overhear you.
- ✓ Think before you share PHI—written, verbal and electronic.
- ✓ Use ### or click "send secure" button when emailing PHI.
- ✓ Use the minimum amount of PHI necessary to get the job done.
- ✓ Never share your password.

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Corporate Compliance Contact Information

Compliance Hotline
1-888-413-4313

Compliance Office
1-856-507-7857

compliance@ihn.org



No adverse action or retribution will be taken against any employee for reporting in good faith suspected non-compliance with federal and state laws, Code of Conduct, and internal policies and procedures. Non-Retribution Policy

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HIPAA 101



PATIENT PRIVACY IS EVERYONE'S RESPONSIBILITY

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Educate

What is HIPAA?

- Health Insurance Portability and Accountability Act of 1996.
- Protects the written, spoken and electronic forms of PHI.

What is Protected Health Information (PHI)?

- Individually identifiable health information

What are examples of PHI?

- Name
- Address
- Dates (birth, discharge, admittance, death)
- Phone and fax numbers
- Email addresses
- Social Security Numbers
- Medical Record Numbers
- Drivers license information/ Vehicle identifiers
- Account numbers
- Device numbers/Serial numbers
- Finger/Voice prints
- Full-face photographs



HIPAA Hazards

- Snooping in medical records.
- Unencrypted laptops and mobile devices.
- Use of PHI on Social Media.
- Posting or sharing photos and videos containing PHI.
- Disclosure of sensitive medical information.
- Improper disposal of PHI.
- Releasing patient information without authorization.
- Gossiping



Privacy Monitoring Program

Inspira protects electronic health records by monitoring for inappropriate or unusual accesses such as:

- Coworkers/Managers
- Family Members
- VIPs
- or
- High Patient Access
- Self Modification
- Other Suspicious Activities

Do not access records unless you are doing so within the scope of your job!

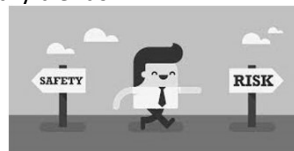


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Educate

Education program is driven by identified areas of risk

- Monitoring of electronic data sources – identify trends
 - Types of snooping alerts
 - Locations
- Organizational issues/violations
- Hotline Calls
- Reports to the Compliance department (email, calls, web-based, walk-in)
- In the news (local & national)



Education is NOT one size fits all

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Educate

Create a Formal Agenda

- What is HIPAA and why is it important?
- What is PHI? Provide examples
- Appropriate Use & Disclosure of PHI
- Minimum Necessary
- Monitoring Program
- HIPAA in the News
- Hot Topics (i.e.. Social Media, cell phones)
- Information Security Risks (i.e.. log on/password, encryption)



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Educate

HIPAA Audits – Incorporate Education



- Document observations and make recommendations based on audit findings
 - **Part I:** HIPAA Regulatory Requirements - § 164.520 Notice of Privacy Practices for Protected Health Information
 - Is the NPP posted? Is it current?
 - Are brochures available in English and Spanish? Are they current?
 - Is written acknowledgement obtained? What if the patient refuses to sign?
 - **Part II:** Physical environment – walk abouts
 - Monitors, shredder boxes, trash can inspection



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In Summary....



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In Summary....

- Effective HIPAA management is a collaborative effort
- Support from the Board and Senior Leadership is critical
- A well educated workforce is a compliant workforce
- Make sure your Privacy Committee is effective
- Employees need to understand your monitoring capabilities
- Your role is to protect the employee as well as the patient
- Buy your IT colleagues lunch



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Your Turn

- Do staff contact your Privacy office proactively to report concerns?
- Do staff contact your Privacy office for guidance or advice before issues arise?
- How engaged in your Board/Senior Leadership?
- How do you monitor the effectiveness of your program?



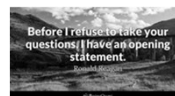
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"Ok, so it's carved in stone, but still open to interpretation, right?"

It's not what WE know, its what our workforce knows that matters!



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Questions???



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Thank You!



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**Thank
You!**

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