

# **Protecting Your Personal Health Information**

## **What you should know about HIPAA:**

### **The Health Insurance**

### **Portability and Accountability Act**

In this age of electronic communication, concern for the privacy and security of personal information has never been greater. Every day, we hear about people who are victims of identity theft, credit card fraud and computer viruses.

Here at *CapitalCare*, we have always worked very hard to protect the privacy of your personal health information. Your medical records are kept securely in our offices and we don't release any information about you to anyone who isn't authorized to have that information.

Public Health laws in New York State have very strict provisions relating to the confidentiality of health information and, now, the Federal Government has issued new regulations that will help create standards for privacy and security across the country, and across all health organizations.

### **What's a HIPAA?**

The new regulations are part of a law known as HIPAA, the Health Insurance Portability and Accountability Act. Enacted in 1996, its privacy provisions take effect on April 14, 2003. HIPAA has three major purposes:

1. It helps standardize and simplify the way healthcare organizations exchange electronic information.
2. It provides people with additional protections for obtaining and keeping health insurance, but does not guarantee coverage.
3. It creates new rules to ensure the safety and privacy of individual health information and medical records.

### **Privacy Rules!**

The privacy rules contained in HIPAA will help protect health information that is maintained by physicians, hospitals, other health care practitioners and health insurance plans. HIPAA sets minimum security and privacy standards for healthcare providers and organizations to follow. If a state has more stringent laws, then those would be followed instead. In addition, HIPAA sets stiff penalties for violations of these standards or for misuse of personal health information.

### **What is personal health information?**

Every time you see a healthcare practitioner, are admitted to a hospital, fill a prescription or submit a claim to an insurance company, a record is made that contains confidential health information. This information is referred to as individually identifiable health information (IIHI) and is the type of information regulated by HIPAA. The privacy rules

place restrictions on disclosure of this information. All health information, including paper records, electronic records (including email) and verbal communications are protected by HIPAA's privacy rules.

Healthcare professionals that collect and manage this information include physicians, nurse practitioners, physician assistants, physical therapists, mental health professionals, dentists, chiropractors, optometrists, dietitians and podiatrists. Healthcare organizations include hospitals, health plans, employers and companies that process claims or perform certain financial and administrative functions.

### **What else does HIPAA do?**

Under HIPAA, individuals have new rights regarding their personal health information.

**Education**—Healthcare professionals and organizations are required to provide you with a written explanation of how they intend to use and disclose your information.

**Right to access**—You have the right to see and obtain a copy of your medical records. Access to your record may not be available immediately, and you may be charged a reasonable fee for photo-copying. You can request that we make a correction in your record if the information that has been entered is incorrect. In addition, you can request a history of “non-routine disclosures” of your personal health information. However, these rights are not absolute and there are some exceptions to these rules.

**Right to consent**—Healthcare professionals and organizations are required to obtain your consent prior to sharing personal health information for purposes *other than* treatment, payment and healthcare operations.

**Right to recourse**—You also have the right to file a formal complaint if you believe that there has been a violation of the regulations.

A Notice of Privacy Practices is posted in each of our offices. It contains important information about how we handle your confidential health information and how you can exercise your rights to your health information under the HIPAA provisions. A copy of that notice is also available to you upon request.

Please feel free to ask your health care practitioner about how your health information is protected, or about exercising your rights. Please let us know if you have any questions about our Notice of Privacy Practices. You may also contact our Medical Director and Privacy Officer, Dr. Louis Snitkoff, at 518-452-1337.

With HIPAA, the government has tried to strike a balance between protecting your privacy and allowing the appropriate flow of information among healthcare organizations that is necessary for you to have access to the care that you need and to receive high quality medical services.

**Protection of your privacy** is a responsibility that we take very seriously. It is an essential component of the trust you should have in your health care providers and it is our promise to you, our patients.

**Want to learn more?**

The following websites contain helpful information about HIPAA:

American Medical Association

[www.ama-assn.org](http://www.ama-assn.org)

Medical Society of the State of NY

[www.mssny.org](http://www.mssny.org)

Office for Civil Rights

<http://www.hhs.gov/ocr/hipaa/>