

# Privacy Practices

The Health Insurance Portability and Accountability Act (HIPAA) of 1996 is a federal law enacted to ensure privacy and security of a consumer's Protected Health Information (PHI). PHI is basically defined as individually identifiable health information that is transmitted or maintained in any form or medium. A few examples of PHI include an individual's name, social security number or consumer identification number, address, and date of birth.

All aspects of CHIPA operations are compliant with the required HIPAA privacy practices as well as other applicable state and federal laws. Below are some of the highlights of these practices.

## Uses and Disclosures of PHI

CHIPA has established policies relating to requests for and disclosure of PHI in accordance with HIPAA and other applicable federal and state laws. These policies ensure that only the minimum amount of information necessary is disclosed to accomplish the purpose of the disclosure or request.

## Release of Information

It is CHIPA policy to release information only to the individual, or to other parties designated in writing by the individual, unless otherwise required or allowed by law. For each party that the individual designates permission to access their PHI, he or she must sign and date a Release of Information specifying what information may be disclosed, to whom, and during what period of time. This policy is not applicable to PHI being exchanged with a CHIPA network Clinician, POD/Group, facility, or other entity designated by HIPAA for the purposes of Treatment, Payment, or Health Care Operations<sup>1</sup>.

## Identification and Authentication

CHIPA requires that anyone requesting access to PHI be appropriately identified and authenticated. Members and personal representatives, for example, are required to provide the member identification number or subscriber number and the member's or subscriber's date of birth. You or your administrative staff are identified and authenticated in a number of ways and may be asked for your federal tax identification number or physical address as part of this verification process.

## Internal Protection of Verbal, Written, and Electronic PHI

CHIPA works with the various health plans, to ensure that all physical and logical safeguards are in place to protect against the unauthorized use, disclosure, modification, and destruction of PHI across all media (e.g. paper records, electronic files, etc.). All employees of CHIPA receive training and are familiar with the HIPAA privacy practices relevant to their job duties and responsibilities.

<sup>1</sup>"Treatment, Payment, or Health Care Operations" as defined by HIPAA include: 1) Treatment – Coordination or management of health care and related services; 2) Payment purposes – The activities of a health plan to obtain premiums or fulfill responsibility for coverage and provision of benefits under the health plan; and 3) Health Care Operations – The activities of a health plan such as quality review, business management, customer service, and claims processing

## Disclosure to Health Plans

Summary health information may be released to a Plan Sponsor<sup>2</sup> without the authorization of the affected individual. This information may be used for the purpose of obtaining premium bids or modifying, amending, or terminating the Group Health Plan. It may also be used for providing access to employees of an employer or Plan Sponsor to carry out administrative duties of a Health Plan related to Treatment, Payment or Health Care Operations.

CHIPA members receive Privacy Notices from their health plans outlining the uses and disclosures of their PHI and their rights, as well as the legal duties of their health plan to ensure protection of their PHI under HIPAA. This Privacy Notice is posted on the CHIPA Web site under “HIPAA – Patient Rights”, or is available in paper copy by contacting Network Management.

## National Provider Identification

The purpose of a National Provider Identifier (NPI) is to improve the efficiency and effectiveness of the electronic transmission of health information. The implementation of this provision in 2007 is in compliance with HIPAA. CHIPA requires the billing Clinician to include NPI information on all electronic claims. In addition to all electronically submitted claims, some states mandate that the NPI be used on all claims (whether paper or electronic submission is used). For more information about obtaining an NPI, you may contact the Center for Medicare and Medicaid Services at [www.cms.hhs.gov](http://www.cms.hhs.gov).