

# ANNUAL HIPAA TRAINING

HIPAA violations continue to make the headlines, with some medical institutions and companies having large dollar fines levied against them for compromising confidential patient information. This could happen to any of us and consequently, annual HIPAA training is necessary to stay abreast of possible breaches of confidential information. To make this more convenient for all our employees, we are providing you with a take home quiz to complete and return to your local office.

Please read this flyer and answer the questions on the included test. The quiz can be submitted along with your weekly timesheets (or faxed) but keep the flyer as a reminder. You must score a 70% in order to pass your annual HIPAA training. Anything less than 70% will require you to retake the HIPAA class.

## What Is HIPAA?

HIPAA is the “Health Insurance Portability and Accountability Act” which was enacted in 1996 to protect a person’s personal information.

## What is PHI?

PHI is “Protected Health Information” and pertains to **any information that can be used to identify a specific person**. This information includes:

- Name
- Address
- Dates – birth date, hospital dates etc.
- Telephone and/or fax numbers
- E-mail / website information
- Social Security numbers
- Medical record number or account number
- Certificate and/or license numbers
- Names of relatives
- Medical Diagnoses
- Anything that can be linked to a specific person

## Who is Protected Under HIPAA?

Everyone is protected under HIPAA in one way or another; all of our clients, you as our employee and when you or our clients visit a medical professional.

## What Constitutes a Breach?

A breach is any PHI that has been shared, whether verbal, by text or by image, without the affected person’s direct, usually written, permission. A breach can be as simple as telling another person your client’s name and the city they live in. Sharing client information with a fellow employee or anyone who is not directly involved in their care is also a breach. Social Media has presented another type of breach that has recently become a problem. It seems that everyone these days has Facebook®, Instagram®, Twitter® or some other form of Social Media at their fingertips. These sites have become a serious HIPAA threat. It seems so innocent to share the events of your day on Social Media, but it can actually be disastrous if a name or their diagnosis is mentioned by you, not to mention a photo! **DO NOT POST/SHARE ANY WORK-RELATED INFORMATION ON ANY SOCIAL MEDIA SITE! And do NOT become “friends” with anyone from your job on ANY Social Media site.** Again, these might seem like innocent actions or make you feel like AAging Better is being overly cautious but read the “Consequences of a Breach” and you’ll understand why we stress this so much.

## Who Can I Talk To?

If you have an immediate concern, you can and are encouraged to talk to 911 dispatchers/EMTs, the client's doctor's office or their Pharmacist. These people have automatic or prior authorization to receive the client's PHI. These are offices the Client has given prior permission to release his or her information.

## What Precautions Should I Take?

When in doubt and there is no emergency, say nothing at all. This is the easiest way to protect yourself. If you are ever in question about what you can say, call the office or be honest and tell the person you don't think you can tell them. Most medical people are very familiar with HIPAA and understand its restrictions, especially those in the home care and medical professions. If it is regarding your client, call your office and ask them to handle the situation. Our office staff are trained to work with HIPAA restrictions and can do so without risk. Some other helpful tips are:

- If you have one, keep your schedule and client information in a secure place away from family and friends.
- Be completely vague when talking about your clients, schedule or work information.
- Contact your office if you are unsure who you can talk to about your client

- Put yourself in your client's shoes and ask yourself would you want this information shared about you?

## Consequences of a Breach

The consequences of a HIPAA Breach can be very costly. Not only can your employment be terminated, but you may be personally liable for large monetary fines if you are found to have purposefully shared HIPPA protected information. **Breaches can be malicious or innocent, but either could cause both you and AAging Better to incur a significant monetary penalty.**

Depending on the severity and the maliciousness of the breach, **an individual caregiver can also be sentenced to jail time.** The following is one example of what some hospitals and individuals have been fined for a breach of PHI information. A hospital in Texas was fined \$3.5 million in 2017 for the loss of a laptop computer that had 2000 patient names and their information on it. But even if there is only one patient or client involved in having his or her confidential information shared by a caregiver, the minimum fine is \$10,000! This amount would significantly impact any employee or Home Care company. Confirmed HIPAA violations have put hospitals and agencies on the line. We don't want you or AAging Better be one of them.

## Conclusion

HIPAA is not a term to take lightly. The federal government and this company take PHI information very seriously. Your office staff goes to great lengths to keep your personal information just as private as we do our clients' information. We do not talk to anyone about your personal information unless we have your signed permission. We expect you to always do the same for all of our clients.

Please carefully consider the impact it could have on your clients if you unthinkingly shared their personal information with a complete stranger. HIPAA is not only the law, it is also simple common respect for others. Like you, our clients do not want strangers to know where they live, what they look like or what disease/medical conditions they may have. Help us keep everyone safe!

