

About the HIPAA Privacy Rule.....

What is “HIPAA” and what does it mean for you?” Here are a few examples of the changes you may notice due to HIPAA privacy regulations enacted April 14, 2003:

- The next time you go to the doctor or dentist, you may not see the familiar sign-in sheet.
- And on that visit you will very likely be given a “Notice of Privacy Practices” by the receptionist and asked to sign acknowledging you received the notice.
- When you call the hospital to find out how your friend is doing, you may not be able to obtain information about your friend’s progress from the hospital or even confirm the room number or that he or she is a patient at the hospital.
- If you routinely handle the health care claims for any relatives or friends (if they are competent to handle their own affairs and you are not their legal representative), you will no longer be able to check on claims status or eligibility for other than your immediate family. You may do so, however, if a signed release is submitted from the individual authorizing you to receive that information.
- When you call AdvancePCS to check on a prescription drug claim for your son or daughter attending college, you will be informed that the information can only be released to the dependent, unless a signed release from your dependent is submitted authorizing you to receive that information. (A covered dependent age 18 or older is considered for purposes of HIPAA to be an adult, and access to health information restricted to the dependent.)

Although these changes may be inconvenient, they are actually intended to protect the privacy of your health care information under the new HIPAA regulations. A number of such safeguards have been instituted in order for health care providers (your doctor, dentist, hospital, etc.) and health plans (I/N Tek and I/N Kote’s) to comply with the HIPAA regulations. The HIPAA regulations require privacy of health information for individuals seeking and receiving health care services. The purpose is to protect individuals by limiting access, use and disclosure of “protected health information” or PHI.

“HIPAA” stands for the *Health Insurance Portability and Accountability Act of 1996*. The HIPAA Privacy Standards effective April 14, 2003 outline specific responsibilities for health care providers and health plans.

I/N Tek and I/N Kote are in full compliance with the HIPAA regulations. Recently, the *I/N Tek and I/N Kote Benefit Plans Privacy Notice* was e-mailed to you. The Privacy Notice is posted on the I/N Tek and I/N Kote web page in the “Benefits” area. HIPAA forms are also available on the web sites. A description of each form is provided below.

HIPAA Form	What it is Used For
Authorization for Release of Medical Records/Health Information	Obtain authorization from individuals to disclose/use PHI* to a person or entity other than themselves.
Request for Accounting of Disclosures of PHI*	Provide individuals with an accounting of how their PHI* was used and shared when requested.
Request for Amendment/Correction of PHI*	Allow individuals to request an amendment to their PHI*.
Request for Confidential Communications	Request to communicate with individuals in the format, if reasonable, that they specifically designate to maintain confidentiality of information.
Request for Restrictions on Uses and/or Disclosures of PHI*	Allow individuals to request that use and disclosure of their PHI* be restricted.

*PHI = “protected health information”

For additional information, see Questions and Answers on the next page.

Questions and Answers about the HIPAA Privacy Rule

- 1. Why are all these restrictions necessary under HIPAA? It seems inconvenient.*

The Health Insurance Portability and Accountability Act of 1996 is designed to protect the privacy of health records. Because I/N Tek and I/N Kote sponsor a health plan, there is a responsibility to comply with the privacy provisions of HIPAA. I/N Tek and I/N Kote have “business associate” agreements with health care vendors, such as Harrington, Community Health Alliance and AdvancePCS, to ensure compliance to the fullest extent for administration of all health care records for I/N Tek and I/N Kote members.
- 2. What is PHI?*

PHI, or protected health information, is individually identifiable health information that is generated by an individual seeking and receiving health care services. This can include claim forms, Explanation of Benefits, etc. Keep in mind that this applies to health information on and after April 14, 2003.
- 3. Does that mean that my health records prior to that date are not secure?*

No. I/N Tek and I/N Kote have always maintained high standards of privacy in the administration of health care benefits. It is just that now the HIPAA Privacy Rule covers these practices with formalized, national rules, which require specific safeguards.
- 4. Can I still call Harrington, and get information on health care claims and eligibility for myself and my immediate family members?*

If you are the employee/retiree or the spouse, you can still obtain claim and eligibility information on your immediate family members. There are exceptions:

 - If there is knowledge of a divorce proceeding, the information disclosed about your spouse will be restricted.
 - When you call to check on a health care claim for your son or daughter age 18 or older, you will be informed that the information can only be released to the dependent, unless a signed release from your dependent is submitted authorizing you to receive that information.
 - Approved Requests for Confidential Communications or Restrictions on Uses/Disclosures of PHI will be honored.
- 5. My daughter is 20 years old and away at college, and I take care of her medical bills and claims. Does this mean that I can no longer handle her medical bills?*

You have a couple of options available to you.

 - Your daughter can sign an “Authorization for Release of Medical Records/Health Information” form and submit the completed form to Harrington for each different type of claim as they arise.
 - Your daughter can call Harrington and obtain the information and communicate it to you.
- 6. As a favor, for years I have taken care of medical bills for my aunt, although she is mentally competent. Does this mean that I can no longer handle her medical bills?*

You can continue to handle your aunt’s medical bills as long as your aunt has signed the “Authorization for Release of Medical Records/Health Information” form releasing the information to you.
- 7. What is the procedure to put in place an “Authorization for Release of Medical Records/Health Information” form?*

You can obtain an authorization form from Harrington, your Human Resources Department, or visit the I/N Tek and I/N Kote web page in the “Benefits” area and print a form to use. Submit a completed form specifying the episode of care or condition that applies (conditions could involve treatment of cancer or a heart attack, for example). The authorization will be valid for up to one year.
- 8. Can Harrington legally share my PHI (protected health information) without my permission?*

Under the HIPAA Privacy Rule, PHI may be disclosed without an individual’s authorization for *treatment, payment and health care operations*. Health care vendors contracted to support the operation of the I/N Tek and I/N Kote Benefit Plans are permitted to share PHI for these purposes only, and have signed business associate agreements affirming their responsibilities under HIPAA. This includes all of the health care vendors and firms that perform audit, compliance and quality assurance functions. In addition, PHI can be used or disclosed in accordance with other applicable laws. See the I/N Tek and I/N Kote Benefit Plans Privacy Notice for more details.