

TABLE OF CONTENTS

PART I – GENERAL OVERVIEW

I. INTRODUCTION.....	1
A. OVERVIEW OF HIPAA	1
1. <i>Standards for Electronic Transactions</i>	2
2. <i>Security and Electronic Signature Standards</i>	3
3. <i>Standards for Privacy of Individually Identifiable Health Information</i>	5
B. PRIVACY STANDARDS FOR PROTECTED HEALTH INFORMATION	7
1. <i>Generally</i>	7
2. <i>Notice of Privacy Practices</i>	8
3. <i>Consents versus Authorizations</i>	10
4. <i>Written Acknowledgement/Consents</i>	11
5. <i>Authorizations, Accounting and Restrictions</i>	13
6. <i>When Authorization is Not Required</i>	14
7. <i>Marketing and Fundraising</i>	15
8. <i>Opportunity to Agree or Object Situations</i>	17
9. <i>Patient Access to Information</i>	17
10. <i>Special Issues Related to Psychotherapy Notes</i>	18
11. <i>Research</i>	18
12. <i>De-Identification and Re-Identification</i>	19
13. <i>"Minimum Necessary" Rule</i>	20
14. <i>Staff Training</i>	22
C. THE SECURITY REGULATIONS.....	22
1. <i>Implementation Instructions</i>	26
2. <i>Administrative Safeguards</i>	27
3. <i>Physical Safeguards</i>	36
4. <i>Technical Safeguards</i>	39
5. <i>Security Concerns</i>	42
6. <i>Breach</i>	43
D. KEY TERMS.....	49
E. YOUR HIPAA PLAN REQUIREMENTS.....	51
F. IMPLEMENTING THE PLAN.....	53

PART II – MODEL COMPLIANCE PLAN

I. COMPLIANCE PLAN.....	68
A. INTRODUCTION	68
B. COMPLIANCE MISSION STATEMENT.....	68
C. EXPECTATION OF PRIVACY	68
D. COMPLIANCE PERSONNEL	69
1. <i>Privacy and Security Officers</i>	69
E. PRIVACY POLICIES	71
1. <i>Notice of Privacy Practices</i>	71

2.	<i>Staff Access to Information</i>	72
3.	<i>Authorizations</i>	72
4.	<i>Minors and Incompetent Patients</i>	74
5.	<i>Friends and Family</i>	75
6.	<i>Patient Access to Chart</i>	77
7.	<i>Patient Amendment of Chart</i>	78
8.	<i>Incidental or Inadvertent Disclosures</i>	78
9.	<i>Faxes, Answering Machines, Messages, Email</i>	79
F.	SECURITY POLICIES	80
1.	<i>Administrative Safeguard Policies</i>	80
2.	<i>Physical Safeguard Policies</i>	85
3.	<i>Technical Safeguard Policies</i>	87
G.	BREACH	88
H.	TRAINING AND EDUCATION	90
1.	<i>Positions Affected</i>	90
2.	<i>Security Reminders</i>	91
3.	<i>Mandatory Attendance</i>	92
4.	<i>Expense Reimbursement</i>	93
I.	COMMUNICATION AND REPORTING	93
1.	<i>Dissemination of Materials</i>	93
2.	<i>Questions and Concerns</i>	94
3.	<i>Reporting of Violations or Suspected Violations</i>	94
4.	<i>Confidentiality</i>	95
5.	<i>Investigation and Remedial Action</i>	95
6.	<i>Disciplinary Action</i>	96
J.	AUDITING AND MONITORING	97
K.	RESPONDING TO INQUIRIES	97
L.	HIRING AND EMPLOYMENT TERMINATION	98
1.	<i>Hiring</i>	98
2.	<i>Employment Termination</i>	98

PART III – EXHIBITS

I.	LIST OF EXHIBITS	100
II.	WEB RESOURCES	170

PART IV – STAFF TRAINING

I.	HIPAA COMPLIANCE PATIENT PRIVACY/SECURITY TRAINING	172
-----------	---	------------