

# HIPAA Privacy & Security

Orientation Module for Students - Residents - Faculty

# HIPAA Privacy & Security

This module is designed to prepare you for your clinical or residency experience. The goal of this module is to teach you the importance of keeping our patients' protected health information (PHI) safe from inappropriate uses and disclosures. This includes electronic protected health information (ePHI).

After completing all four modules and you understand the information presented, you will need to complete the 'Confidentiality Agreement and Acknowledgement of Orientation Modules' form. Please give the completed form to your school coordinator or faculty member, not the healthcare facility. The school will retain your signed/dated form.

The four learning modules need to be completed annually by students/residents/faculty.

# HIPAA Privacy & Security

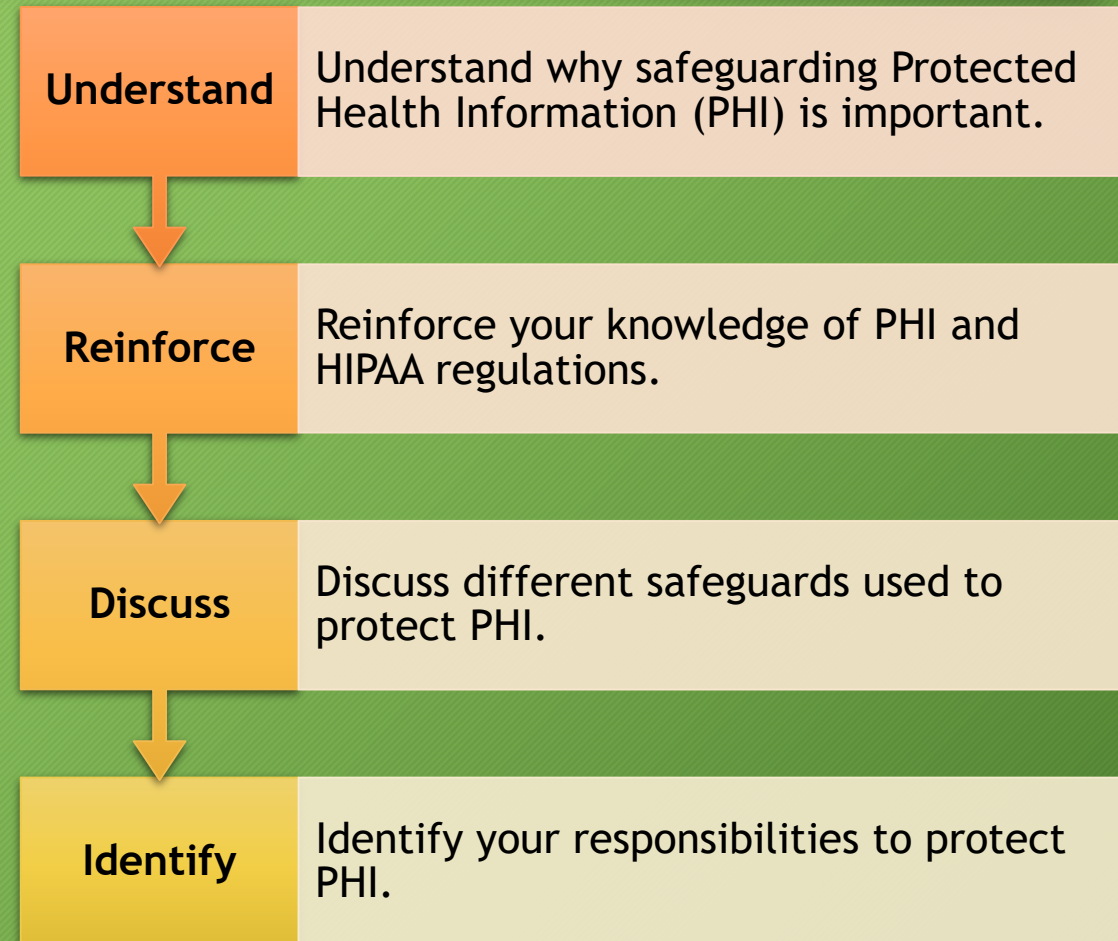
While completing this module, please know YOU are responsible for understanding the information presented.

If you have any questions, please contact your instructor/school/facility for answers prior to submitting your final 'Confidentiality Agreement and Acknowledgement of Orientation Modules' form.

# Learning Objectives

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**GOAL:**  
**Focus on Safeguarding**  
**Patient Health Information (PHI)**





# What is PHI? Protected Health Information

Protected Health Information (PHI) is any piece of information in an individual's medical record that was created, used, or disclosed during the course of diagnosis or treatment that can be used to personally identify them.

## Examples of PHI Protected Health Information

1. Name
2. Address (including subdivisions smaller than the state such as street address, city, county, or zip code)
3. Any dates (except years) that are directly related to an individual, including birthday, date of admission, etc.
4. Telephone number
5. Fax number
6. Email address
7. Social Security number
8. Medical record number
9. Health plan beneficiary number
10. Account number
11. Certificate/license number
12. Vehicle identifiers, serial numbers, or license plate numbers
13. Biometric identifiers such as fingerprints or voice prints
14. Photos

# Forms of PHI - Protected Health Information

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When we talk about safeguarding our patient's Protected Health Information (PHI), remember that PHI comes in many forms.

- ✓ **Verbal** - Discussing PHI should be done in a manner that protects the PHI as much as possible by speaking quietly or in private areas when possible.
- ✓ **Paper** - Paper documents that contain PHI should never be left unattended in a location that patients or others have access to or may oversee.
- ✓ **Electronic** - Electronic PHI (ePHI) includes everything from your desktop or laptop computer, cell phones, and tablets, to CDs and USB drives or medical devices that contain PHI.



# Loss or Theft of PHI

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Because PHI is valuable, healthcare systems are often targeted for theft and hacking by cybercriminals.

PHI is valued much higher than other types of data, fetching up to \$50-100 per record, more than 10 times the price of credit card data.





# Loss or Theft of PHI

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Loss or theft of PHI may lead to:

- **Loss of patients' trust.**
- **Identity theft.**
- **Millions in settlement agreements and even more costs to fix security issues.**



# Protecting PHI

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Two caregivers are standing in a patient's doorway, discussing the patient's health condition and treatments. Is this a privacy incident?

*Decide your answer before proceeding to the next slide.*





# Protecting PHI

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## Correct Answer:

**YES** - This is a privacy incident. Never discuss a patient out in the open where others can hear you. Do it in a private location.





# Protecting PHI

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You have become particularly fond of a patient for whom you are caring. She has been in the hospital for a week. You heard she is going home today and want to share the good news with friends and family members via social media. Is this acceptable?

*Decide your answer before proceeding to the next slide.*



# Protecting PHI

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## Correct Answer:

**NO** - Sharing this news on social media is a privacy incident. The HIPAA Privacy Rule prohibits the use of Protected Health Information on social media networks. This includes images of patients or videos that could result in a patient being identified.





# Protecting PHI

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You happen to see a family friend being admitted to the hospital. You want to call your family members to tell them what you just observed. Is this acceptable?

*Decide your answer before proceeding to the next slide.*



# Protecting PHI

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**NO** - This is not acceptable. Telling others about your family friend being admitted to the hospital would violate this patient's privacy rights.

# Why Protect PHI?

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- ✓ Electronic devices have been stolen, compromising millions of patients' records and resulting in large financial settlements.
- ✓ A stolen mobile device, with no encryption or password, and an unencrypted laptop compromised thousands of patients' records and resulted in a \$3.2 million settlement agreement.
- ✓ A hospital agreed to pay \$1 million after a caregiver left documents containing PHI on a subway train during their commute to work, resulting in 66 patient's PHI being disclosed. The documents were never recovered.




# Follow Secure Practices

How can we prevent incidents like these from occurring?



We can adopt and follow secure practices which not only prevent settlement agreements, but also protect our patients' information and prevent fraud against our patients.



We want to help people live well, and part of that mission is to ensure healthcare facilities are a trustworthy steward of our patients' information.



# Protecting PHI - Implement Safeguards

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To protect PHI, it should:

- ✓ Not be used or disclosed in excess of what is needed to fulfill a request or complete a job function.
- ✓ Not be accessed for patients not assigned to you.
- ✓ Not be accessed by caregivers or others who do not have a right to know this information.
- ✓ Not be disposed of without taking precautions to deidentify or render the information unrecognizable (i.e. shredding).
- ✓ Not be transported offsite without proper authorization or precautions.
- ✓ Not be handed off, faxed or mailed to an inappropriate recipient.
- ✓ Not be stored in a manner that is unsecured.

# Protecting ePHI

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A medical assistant is caring for a patient, documenting the patient's vitals in the **electronic medical record** when she receives a hospital page that she must attend to. What should she do? **Select your answer below.** *Decide your answer before proceeding to the next slide.*

- A. She will be right back, and it is the patient's own information, so she should leave right away to respond to the hospital page.
- B. Before leaving the computer, she should sign off/lock/secure the workstation.





# Protecting ePHI

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## Correct Answer:

B. If you need to walk away from your workstation, it is important to **always** safeguard PHI, so you should always log off or lock the workstation so others, including patients, do not see another's information.





# Physical Safeguards

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**There are physical safeguards we can all use to protect PHI.**

- ✓ Paper documents should be disposed of in locked, confidential recycle receptacles.
- ✓ Other media, including CDs, must be destroyed or defaced in a manner that effectively removes all PHI.
- ✓ Challenge people who are walking in restricted areas without a nametag on. Insist they need a nametag/identification and assist them, if needed, in obtaining this. Caregivers must always wear their nametag while in facilities.
- ✓ Store unused desktops and laptops in a locked cabinet, even if they are encrypted.
- ✓ Ensure only the caregivers that need access to that equipment have access to the cabinet or closet.

# Safeguarding PHI

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- ✓ Students should NOT be storing or transferring PHI.
- ✓ Do NOT put patient PHI on clinical paperwork, in a text, email or on social media.
- ✓ Understand and be compliant with HIPAA rules and regulations.
- ✓ Always keep anything that contains patient information out of the public's eye.
- ✓ Follow workplace security and privacy policies to protect PHI and network shared files.

If you have questions about PHI safeguards, contact your clinical or rotation site.



# Test Your Safeguard Knowledge

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Does each of the following items demonstrate a safeguard or a <u>lack</u> of safeguards?		
	Safeguards	<u>Lack of</u> Safeguards
1. Login/passwords are posted for all to use.		
2. PHI is not visible to passersby on computer screen.		
3. PHI is disposed of in the nearest trash can.		
4. Fax machine/printer is unattended.		
5. Workforce training on HIPAA safeguards.		
6. Storing your device in a public area.		
7. Conversations are held in private areas.		
8. Locking the screen when your device is unattended.		



# ANSWERS: Test Your Safeguard Knowledge

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ANSWERS: Does each of the following items demonstrate a safeguard or a lack of safeguards?

	Safeguards	<u>Lack</u> of Safeguards
1. Login/passwords are posted for all to use.		X
2. PHI is <u>not</u> visible to passersby on computer screen.	X	
3. PHI is disposed of in the nearest trash can.		X
4. Fax machine/printer is unattended.		X
5. Workforce training on HIPAA safeguards.	X	
6. Storing your device in a public area.		X
7. Conversations are held in private areas.	X	
8. Locking the screen when your device is unattended.	X	

# Your Responsibilities

PHI comes in many forms. We must safeguard all of them, at all times.

Make sure PHI is secured or locked away when not in use at the clinical or rotation site.

Make sure devices are locked away appropriately when not in use.

Do not save PHI locally on your device.

If you have any questions or concerns about the privacy and security of PHI, talk to your leader!

# HIPAA Privacy & Security - Conclusion

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