HIPAA COMPLIANCE:
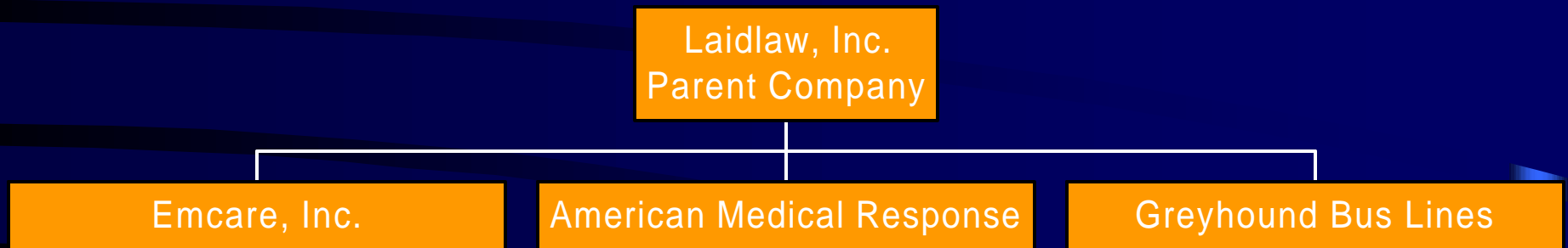
Integrating Privacy Into Your
Compliance Program

Frederick Knight
Director of Compliance
EmCare, Inc.

Laidlaw Inc.

Laidlaw, Inc.
Parent Company

| Emcare, Inc. | American Medical Response | Greyhound Bus Lines |

Key Points

- Similarities
  →Synergies

- CO → PO

- Hotline → Complaint Line

- Not so obvious
  - Reporting to Board
  - Privacy Audits into Compliance Audit

Elements of a Compliance Program

- Policies and Procedures

- Designating a Compliance Officer and Committee

- Training and Education

- Communication

- Disciplinary guidelines

- Response and corrective action

Elements of Privacy Program

- Policies and Procedures
- Designating a Privacy Officer and Committee
- Training and Education
- Communication
- Disciplinary guidelines
- Response and corrective action

Organizational HIPAA Struggle

Early

HIPAA was seen as an IT issue

- Reasons:
  - Y2K
  - Security regulations
  - Transactions and Code Sets
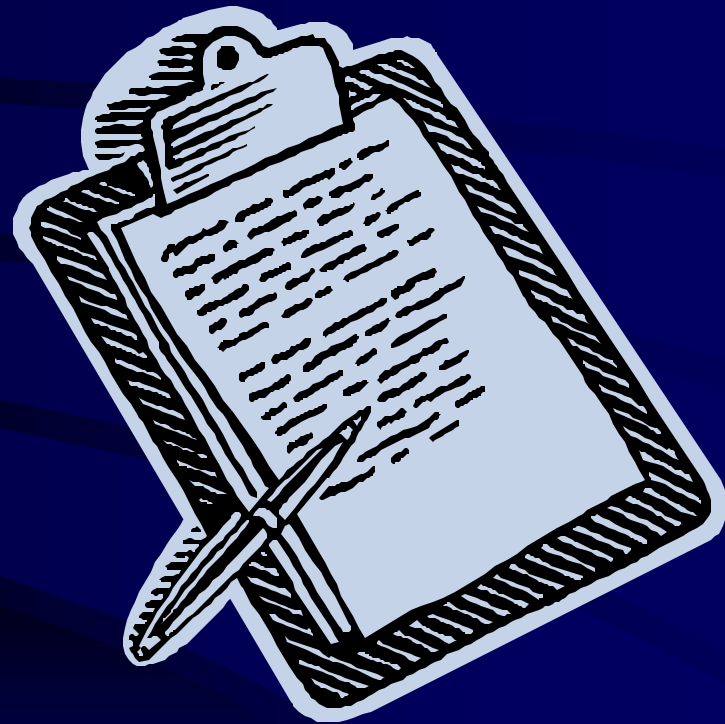 - Radar

Hot Potato

- Realization that HIPAA has strong compliance component.

- Reasons:
    - Privacy Regulations proposed
    - Nobody understood them

Realization

Compliance and Legal realized that HIPAA is a compliance program

- Reasons:
  - Understanding of regulations
  - Similar to other compliance programs

HIPAA Program Development

HIPAA Program Development

- Training and awareness program

- Compliance establishes Program Management Office ("PMO")

- Conduct pilot assessment by PMO, then subsequent assessments are performed

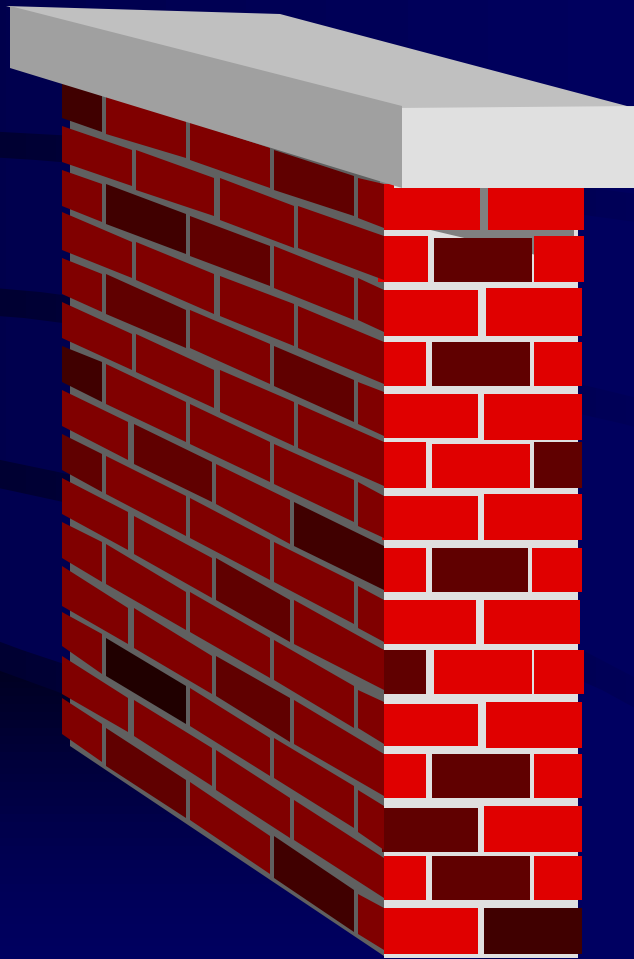- Feedback from Industry experts

Using Internal Resources

- Risk Management
- Clinical Staff
- Health Records
- Compliance
- Legal
- Information Technology

Assessments

- Determine site(s)
- Select Interviewees
- Perform Walk -through
- Conduct Interviews
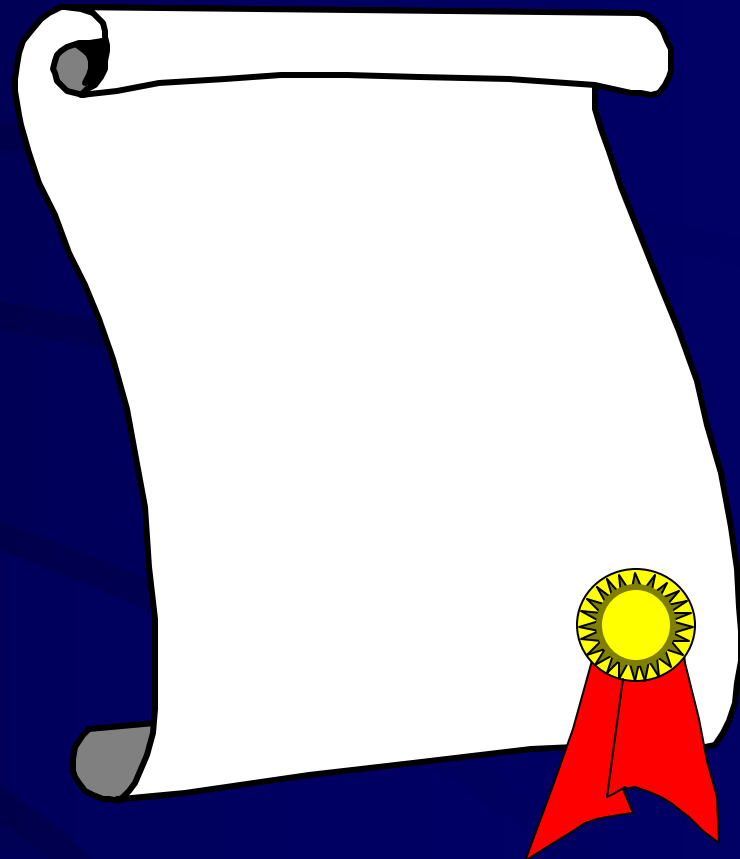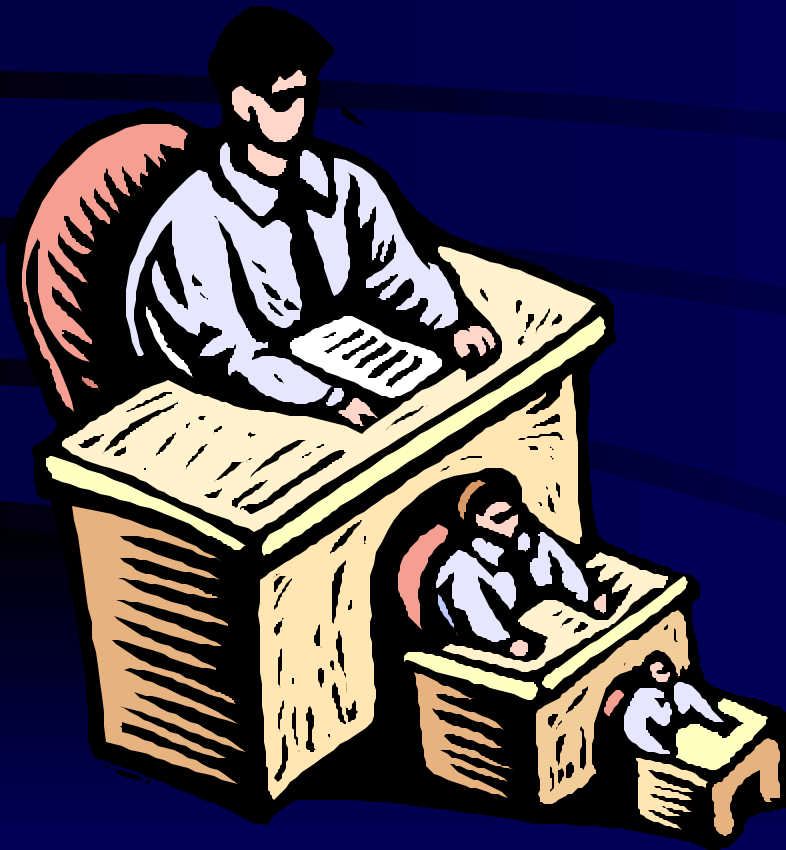- Perform Gap Analysis

Hurdles

Hurdles

- Lack of understanding by Constituents

- Financial Resources

- Human Resources

  – Identifying the right people

- Day-to-Day Activities

  – Investigations

  – Audits

Policies and Procedures

- Administrative Requirements

- Use and Disclosure Controls

- Individual Rights

- Notices of Privacy Practices

Privacy Officer

- Who will it be?

- Should it be the same person or should you separate functions?

- What are their job roles and responsibilities?

- Where should this function reside in the organization?
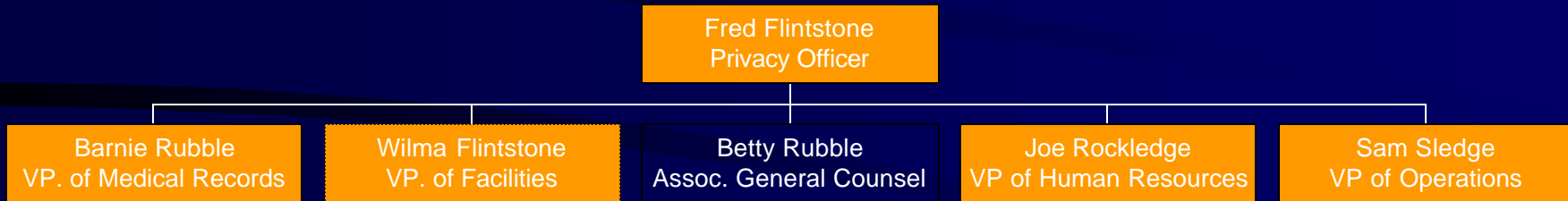
Communication

Communications

- Privacy Committee
- Hotline
  - Complaints (policies and procedures)
  - Refraining from intimidating or retaliatory acts

Privacy Committee

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                        ┌─────────────────────┐
                        │   Fred Flintstone   │
                        │   Privacy Officer   │
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| Barnie Rubble VP. of Medical Records	Wilma Flintstone VP. of Facilities	Betty Rubble Assoc. General Counsel	Joe Rockledge VP of Human Resources	Sam Sledge VP of Operations

Training

Training

- HIPAA Requires Training
  - Security
  - Privacy
  - Transactions and Code Sets
- Frequency
  - Annual
  - Every other year

What Department will Conduct the Training?

- Human Resources (orientation)
- Legal
- Operations
- Individual Departments
- Compliance

Training

- Kickoff Celebration

- National Conference
  Calls (accountability)

- Interactive web-based

- Video Presentation
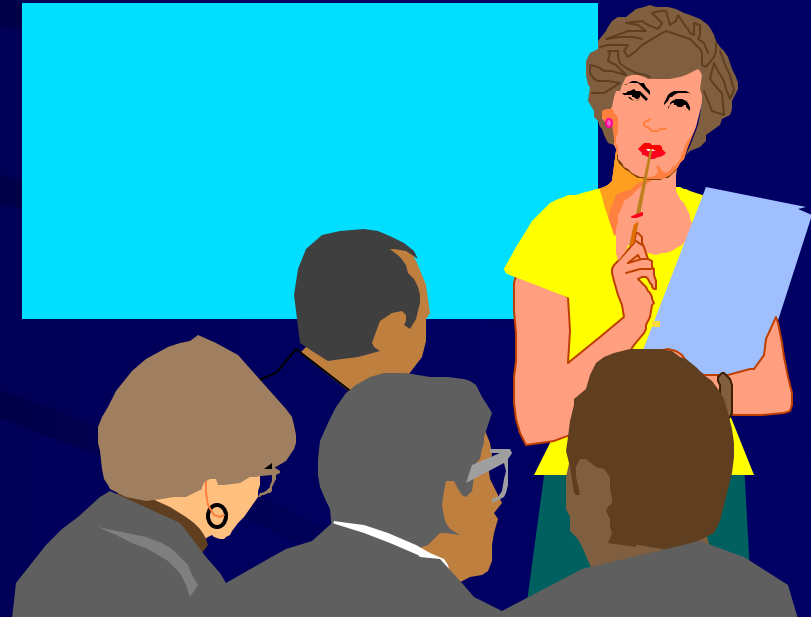
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Questions