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|--|---|---|
|  |  | <h2>HIPAA</h2> <h3>Leveraging Privacy Implementation - Hospitals -</h3>   |
|  |  | <h2>HIPAA Summit V</h2> <p>November 1, 2002</p> <p>Tom Hanks<br/>Director Client Services<br/>Health Care Practice<br/>Tom.Hanks@us.pwcglobal.com</p> <br><small>Copyright © 2002 PricewaterhouseCoopers LLP</small> |

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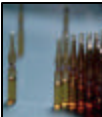

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|  | <h2>Agenda</h2>  |
|  | <ul style="list-style-type: none"><li>▪ <b>CEO Stakeholders</b><ul style="list-style-type: none"><li>– Focus on physicians</li></ul></li><li>▪ <b>What can organizations do to help the provider</b><ul style="list-style-type: none"><li>– And improve provider relations</li></ul></li></ul> <br><small>Copyright © 2002 PricewaterhouseCoopers LLP</small> |

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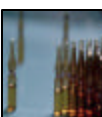

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|  | <h2>Stakeholders</h2>   |
|  | <ul style="list-style-type: none"><li>▪ <b>What stakeholders hold the CEO's attention?</b><ul style="list-style-type: none"><li>– Physicians</li><li>– Patients</li><li>– Community</li></ul></li></ul> <br><small>Copyright © 2002 PricewaterhouseCoopers LLP</small> |

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## Leveraging HIPAA Privacy

- **Primary hospital stakeholders**
- **Focus on physicians**
- **Components of HIPAA that hospitals can use to leverage physician relations**
  - Organized Health Care Arrangement

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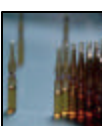
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## Privacy Impact - Physicians

- **Aggravation & confusion**
  - Long period of denial – too much information to absorb
  - Changes too fast – here a rule there a rule – which rule when
  - Too few trusted sources – urban HIPAA legends & myths
    - Lawyers & consultants
- **Hide the HIPAA**

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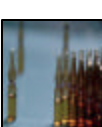
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## Privacy Impact - Physicians (cont'd)

- **Concerned about denial of access to patient information**
  - Role based access policies
  - Cumbersome access control
  - Research fears
  - Reimbursement fears

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### Privacy Impact – Physicians (cont'd)

- **Procedure & process – or Forms and more forms**
  - Notice, notice! – we don't need no stinking notice!!
    - What acknowledgement?
  - Authorize what?
  - Consent – what happened to consent?

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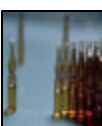
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### Privacy Leverage – General

- **Become a trusted source of education**
- **Web based/CBT/LMS**
  - Cost effective (\$3-10/user)
  - Reuse for internal awareness training
  - Beware of content – caveat emptor
- **Live presentations**
  - Interactive – relationship building
  - CE Credits

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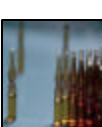
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### Privacy Leverage – Access Control

- **Clinician friendly access controls**
  - Broad access for clinicians
    - Patient care takes primacy over privacy & security
    - May mean more audit trails
  - Shared workstation login controls
    - SSO – maybe?
    - Proximity badges
    - Follow-me desktops (Citrix)
  - Wireless PDA

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### Privacy Leverage – Organized Health Care Arrangement (OHCA)

- **The friendly flexible OHCA**
  - (1) A clinically integrated care setting
  - (2) An organized system of health care in which more than one covered entity participates – and...

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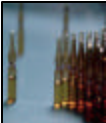
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### Privacy Leverage – OHCA (cont'd)

- Hold themselves out to the public as participating in a joint arrangement; and participate in one of the following
  - Utilization review
  - Quality assessment & improvement
  - Payment (share risk)

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### Privacy Leverage – OHCA (cont'd)

- Hold themselves out to the public as participating in a joint arrangement; and participate in one of the following
  - » Utilization review
  - » Quality assessment & improvement
  - » Payment (share risk)
- Group Health Plan(s) maintained by same plan sponsor & insurers

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### Privacy Leverage – OHCA (cont'd)

- **Single notice for all members of the OHCA**
- **Allows one member of the OHCA to perform services to or on behalf of members in the OHCA**
  - Without becoming a business associate

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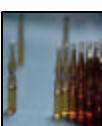
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### Privacy Leverage – OHCA (cont'd)

- **Second section of the business associate definition exempts OHCA as business associates**
- **§164.506(c)(5) Allows OHCA members to share PHI for ANY health care operation (HCO) activity**

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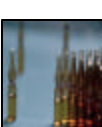
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### Privacy Leverage – OHCA (cont'd)

- **HCO includes a LOT of activities**
  - Underwriting, health insurance contracting
  - Compliance, medical review, legal, & auditing
  - Business planning & development – e.g. formulary, coverage policies, improvement of payment methods
  - Business management – HIPAA compliance, customer service, analysis for plan sponsors (no PHI allowed)
  - Grievance resolution
  - Create de-identified info or limited data sets

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## Privacy Leverage – OHCA (cont'd)

- **Includes management & compliance activities**
  - Notice of Privacy Practices – Layered
    - Email notices to patients
  - Patient HIPAA education materials
  - Notice acknowledgement forms/documents
  - Wall hangings – “Notice Art”, not to be confused with “OHSA Art” or “Labor Art”
  - Training to office staff

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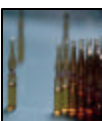
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## Privacy Leverage – Review

- **HIPAA is a source of confusion & consternation to the provider community**
- **Hospital CEOs can provide help to staff physicians**
- **CEOs can leverage HIPAA to provide resources and help to physician/provider community**

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## Questions?

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