

# Session

## HIPAA Privacy Rule and Rescue

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# HIPAA Privacy Rule and Rescue

## What Impact Does HIPAA Have on Rescue?

- The impact on the Rescue Industry is much like the impact on Healthcare Industry throughout the country.
- HIPAA imposed the need for change.
  - Change in Behavior
  - Change in Policies
  - Change in Attitudes

Rescue services are now incorporated into city run Fire Departments with trained fire fighters as EMT's and Paramedics, as well as Private Ambulance services.

–Employers access to PHI (Protected Health Information) must be on a need to know basis.

## What is PHI (Protected Health Information)?

▪ PHI is any information that identifies a patient. It could be numerical information as it relates to past, present or future diagnosis.

Ex: Name, Address, SS#, Chart #

- How we share that information is a major change for the Industry.
  - Incidents where we once shared information open and freely must change.
    - Ex: “Hey man did you see” the hole in that guys head on 29<sup>th</sup> St. You know that Jones guy. “Cedric”. Those conversations can no longer take place with people who did not work the call.
  - Pts must be informed on the use of their (PHI) changes.
  - NPP: Notice of Privacy Practices. (written).
  - Policy and Procedures on the use and handling of PHI (written).
  - Privacy Officer Appointed.
  - Training (New and Current employees).
  - Business Associate Agreements.
    - **HIPAA Privacy Rule is not intended to deter.**
      - Emergency Situations
      - Day to Day operations
      - Payment

The Privacy Rule States :“ To promote the best quality care for patients, the rule does not restrict the ability of doctors, nurses, and other providers to share info needed to treat their patients.”



- **How are First Responders and Paramedics trained?**

Class Room Training: When and under what circumstances can PHI be shared.

- Bulletin Boards with patients' name and addresses must no longer be used to display, names, addresses and the nature of the call(need to know basis only).
- PCR's (Patient Care Reports)-- (secured).
- Run Reports (secured).
- Patient info must be kept out of view.
- Business Associates Agreements must be formed determining what use of (PHI) our business associates are using and sharing with other agencies.

## Patients must be informed as to use of (PHI).

- Notice of privacy practice given to each patient.
- If they are unable to receive and acknowledge receipt one should be mailed within a reasonable length of time.
- Authorization of all disclosures made must be kept with or without consent.
- Disclosure log form
  - Authorization form.
- The law requires a good faith effort to maintain Patient Privacy.
  - The most important question for healthcare providers is: “Will the patients care be compromised?”
- The overarching ethical mandate for healthcare providers.
  - First and foremost do no harm.
- Have mechanisms in place to eradicate unauthorized disclosures.
  - Complaint office
    - Have a place for employees and patients to contact when they have a complaint on how PHI is used and handled.
  - First and foremost do no harm.