HIPAA Summit West II

NCHICA's EarlyView™ Privacy Tool

Canopy Systems, Inc.
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March 13-15, 2002

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President-

Co- *The AMA Field Guide to HPA AI mplementation*,

eHealth topics

Adjunct Assistant Professor in Health Policy and Administration at the School of Public Health, University of North Carolina at Chapel Hill

Graduate of Harvard University, Case-

Chairman and Founder of Canopy Systems, Inc.

-based software Canopy®—

community-wide case management, utilization management, and disease management programs at a

systems nationwide

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Presentation Topics

- NCHICA and its role in promoting awareness and implementation of HIPAA
  - Mission, non-profit status, accomplishments
- EarlyView™ Security and Privacy Tools
  - Method of development and testing
  - Intended audience and assumptions regarding use
- EarlyView™ Privacy Tool Demo
  - Minimum requirements
  - Software features
  - Flexibility of end-user approaches
  - Ongoing feedback and improvements

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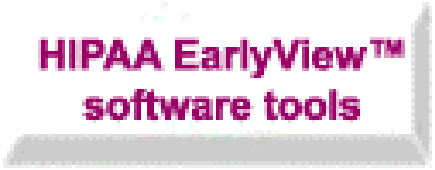
Presentation References

- NCHICA Web site
  - www.nchica.org click on 

    or

  - Look for “HIPAA information” and “tools”
  - Select “EarlyView Privacy”

    or go directly to:

  - http://www.nchica.org/e-Commerce/Default.htm

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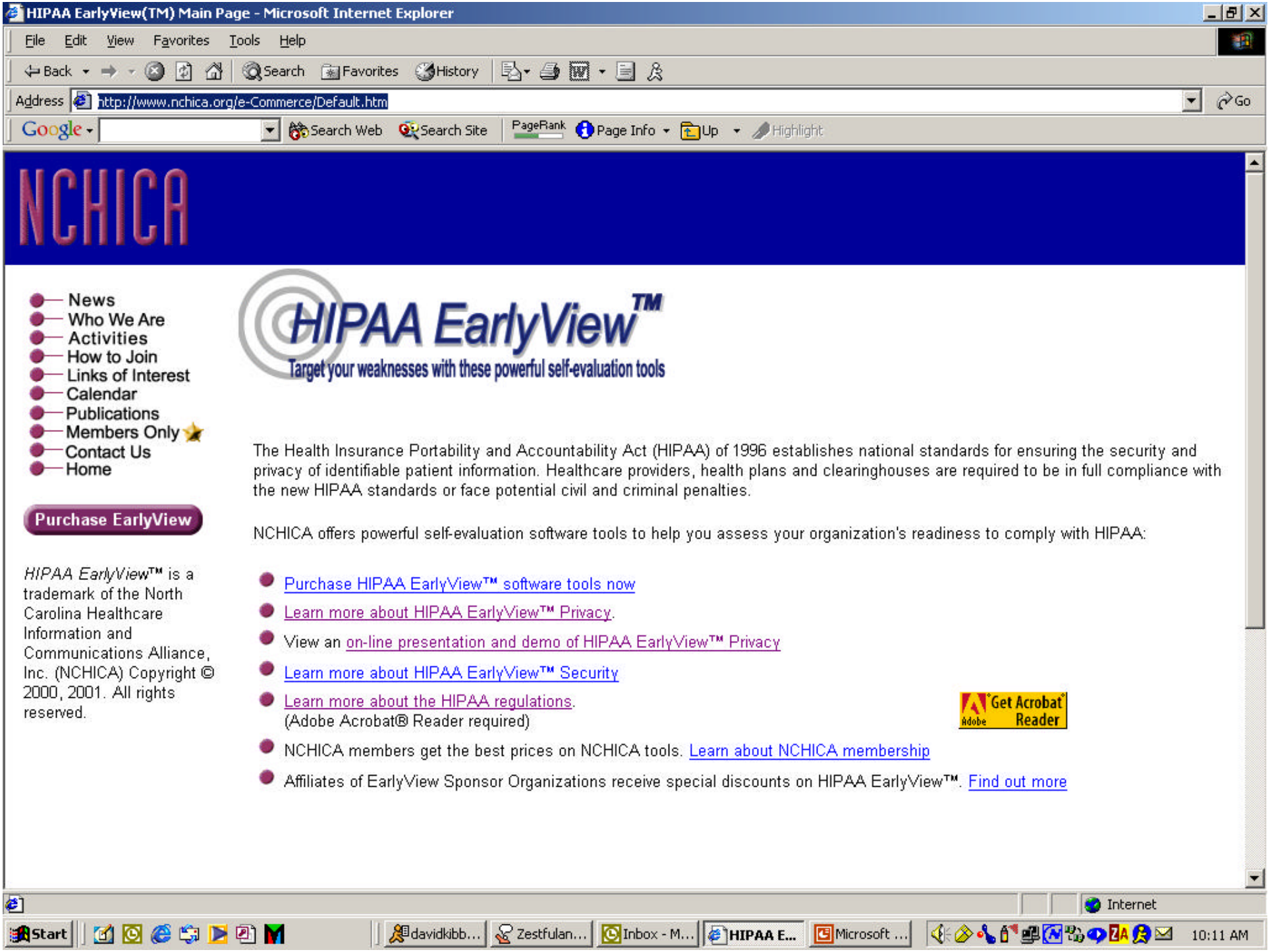
HIPAA EarlyView(TM) Main Page - Microsoft Internet Explorer
File Edit View Favorites Tools Help
Back Search Favorites History
Address http://www.nchica.org/e-Commerce/Default.htm
Go
Google Search Web Search Site PageRank Page Info Up Highlight
NCHICA
News
Who We Are
Activities
How to Join
Links of Interest
Calendar
Publications
Members Only
Contact Us
Home
Purchase EarlyView
HIPAA EarlyView™
Target your weaknesses with these powerful self-evaluation tools
The Health Insurance Portability and Accountability Act (HIPAA) of 1996 establishes national standards for ensuring the security and privacy of identifiable patient information. Healthcare providers, health plans and clearinghouses are required to be in full compliance with the new HIPAA standards or face potential civil and criminal penalties.
NCHICA offers powerful self-evaluation software tools to help you assess your organization's readiness to comply with HIPAA:
Purchase HIPAA EarlyView™ software tools now
Learn more about HIPAA EarlyView™ Privacy.
View an on-line presentation and demo of HIPAA EarlyView™ Privacy
Learn more about HIPAA EarlyView™ Security
Learn more about the HIPAA regulations.
(Adobe Acrobat® Reader required)
Get Acrobat Reader
NCHICA members get the best prices on NCHICA tools. Learn about NCHICA membership
Affiliates of EarlyView Sponsor Organizations receive special discounts on HIPAA EarlyView™. Find out more
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Internet
Start
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Inbox - M...
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What is NCHICA ?

- 501(c)(3) nonprofit research & education
- 200+ members including:
  - Providers
  - Health Plans
  - Clearinghouses
  - Professional Associations and Societies
  - **NCHIMA - Charter Member**
  - Research & Pharmaceutical Organizations
  - Government Agencies - Fed & State
  - Vendors
- Mission: Implement information technology and secure communications in healthcare

Some NCHICA Accomplishments

- Over 20 multi-disciplinary focus groups covering HIPAA transactions, privacy, and security
- Publishing of white papers, sample documents, and state pre-emption analyses
- Numerous HIPAA educational activities within North Carolina and nationally
- Involvement in granted research projects
  - PaiRs, a common multi-state immunization registry
  - DeeDs, a standardized public health ER registry
  - HealthKey, a multi-state initiative to research and test public key infrastructure, PKI, in health care
- Development of low cost, high quality tools for compliance with HIPAA security and privacy

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NCHICA HIPAA Implementation Planning Task Force

- Goal:
  - Develop overall strategy for addressing HIPAA compliance in an orderly and most efficient manner possible.
- Coordinate Activities of Work Groups:
  - Transactions, Codes & Identifiers
  - Data Security
  - Network Security & Interoperability
  - Privacy
  - Awareness, Education & Training
- Over 300 Participants Involved in Effort

HIPAA Implementation Planning Task Force

Dave Kirby (Duke Univ. Health Sys), Harry Reynolds (BCBS)

Transactions, Codes and Identifiers

Stacey Barber (EDS)
Roger McKinney (Carolinas Health System)
Ken Pervine (Bladen County Hospital)

Awareness, Education and Training

Steve Wagner (NC MGMA)
Katherine McGinnis (Eastern AHEC)
Clyde Hewitt (PhoenixHealth)

Privacy

Jean Foster (Pitt Co Mem. Hosp.)
Judy Beach (Quintiles)

Consent & Patient Rights
Contracts
Minimum Necessary Disclosure
Minors' Issues
Research
State Law

Security

Dave McKelvey (Duke Univ.)
Joe Christopher (Sampson Regional MC)
Harold Frohman (Raytheon)
Rosemary Abell (Keane)

Network Security & Interoperability

Data Security

HIPAA At-A-Glance

HIPAA Administrative Simplification

Transaction Standards

Data Sets

ASC x12N version mandated; NCPDP required for pharmacy transactions

- Eligibility 270/271
- Benefit enrollment 834
- Referral cert. and authorization 278
- Claims 837
- Claim status 276/277
- Claim paymt & remittance advice 835
- Premium payment 820
- Add'tnl info to support claim 275 (not yet final)
- First report of injury 148

Code Sets

- ICD-9-CM
- CPT-4
- HCPCS
- CDT
- NDC (and possibly J codes)
- No local codes permitted

Standard Codes

Privacy

New Rights

- Pts access to and control over protected health info (PHI)
- Pts must authorize use of PHI for research or marketing

New Obligations

- PHI data defined
- Notice of privacy practices
- Consent for routine use of PHI
- Minimum disclosure or use
- Business associate contracts
- Provider designated Privacy Official

Security

Administrative Procedures

- Security officer
- Contingency and disaster recovery
- Training

Phys Safeguards

- Secure workstations
- Physical access controls
- Training

Technical Security

- Access controls
- Authorization
- Data authentication
- Encryption, firewalls, etc.
- Basic network security

Electronic Signature

Not yet required

Unique Identifiers

Provider

- Single NPI: 10-position numeric, 1-digit checksum
- No embedded intelligence

Employer

- 9-position numeric, digit checksum
- Tax ID number
- No imbedded intelligence

Health Plan

- 10+3 position numeric
- Sub-ID may appear on health card

Individual

Not likely to be finalized

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HIPAA At-A-Glance

Standard Set Name	Date of Final Rule Publication	Deadline for Implementation	Comments
Transaction and Code Set Standards	October 16, 2000	October 16, 2002 (October 16, 2003 with extension. Testing by April 23, 2003)	Extension possible until October, 2003 for all covered entities that submit a plan to HHS by October, 2002, per the Administrative Simplification Compliance Act, December, 2001. Extenders must start testing transactions by April, 2003.
Privacy Standards	Published by HHS December 28, 2000, but effective date is April 14, 2001	April 14, 2003	A Guidance was issued by HHS in July, 2001, and a further Final Rule with clarifications is expected in 2002, second quarter.
Security Standards	HHS has published a proposed rule (NPRM) in May, 1998.	None yet. April 14, 2003 for security provisions included in Privacy Rule.	The Security Final Rule is expected in first or second quarter 2002, and is not expected to change substantially from the proposed form of the rule.
National Identifier Standards	HHS has published a proposed rule (NPRM, 1998) for a National Provider Identifier, and a National Employer Identifier	None yet.	National Health Plan Identifier is under development, and a National Individual Identifier is on hold.

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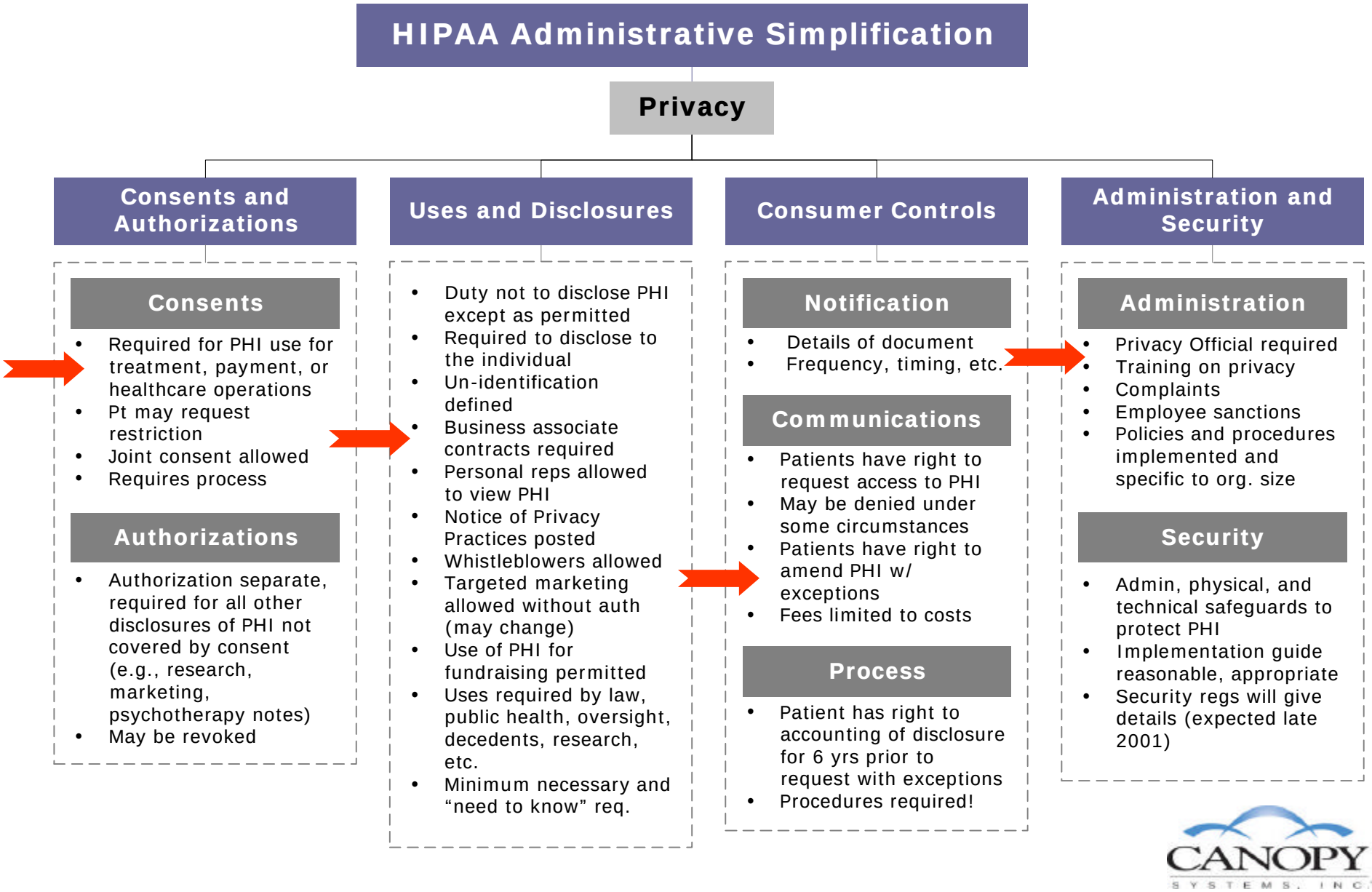
HIPAA Privacy Overview



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Definition - Privacy

- **Privacy** is the patient's right over the use and disclosure of his or her own personal health information. Privacy includes the right to determine when, how and to what extent personal information is shared with others. The HIPAA privacy rules grant new rights to patients to gain access to and control the use and disclosure of their personal health information.

Definition - PHI

- **Protected health information (PHI)** is the HIPAA term for health information in any form (i.e., paper, electronic or verbal) that *personally identifies* a patient. This includes individually identifiable health information in paper records that have never been electronically stored or transmitted. It does not include data that have been "dis-identified" by removal of identifying information, such as name, address, ZIP code, etc.

New Patient Rights

- To control the use and disclosure of protected health information
- To request to review and amend personal health information
- To revoke consent or authorization for use of personal health information

- Applies to all forms of health information, including paper
- There are exceptions and qualifications

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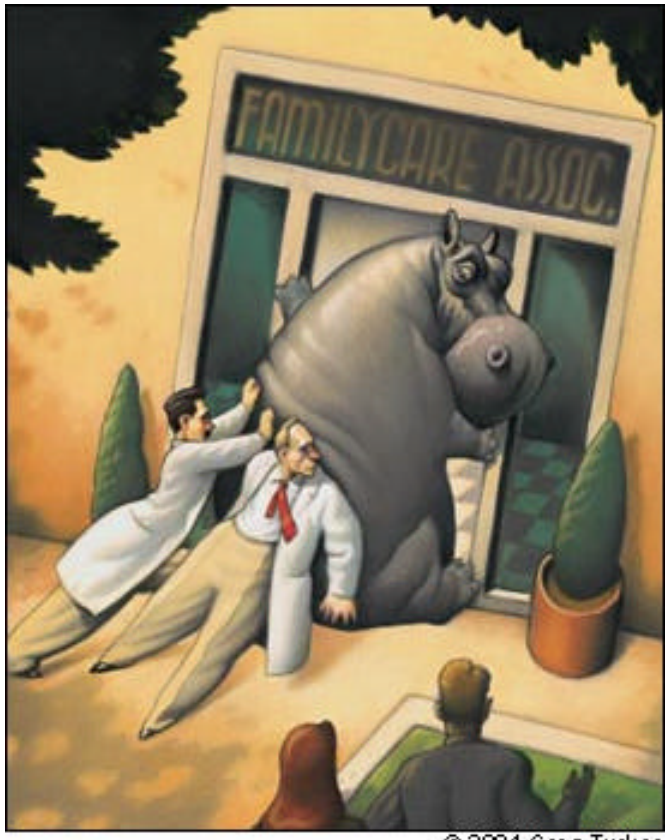
New Provider Obligations

- To have and use a Notice of Privacy Practices
- To obtain consents and authorizations for use of PHI
- To abide by “minimum necessary” guidelines
- To assure business associates comply with HIPAA
- To put in place adequate security measures, including administrative, physical safeguards, and technical security measures to protect PHI
- To train employees
- To appoint a privacy official



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Steps to Compliance

- Begin Awareness
- Form HIPAA Team
- Initiate Gap Analysis
- Perform Risk Analysis
- Develop Your Compliance Plan, Budget & Timeline
- Execute Plan
- Revaluate and Adjust Plan

Comes close to being

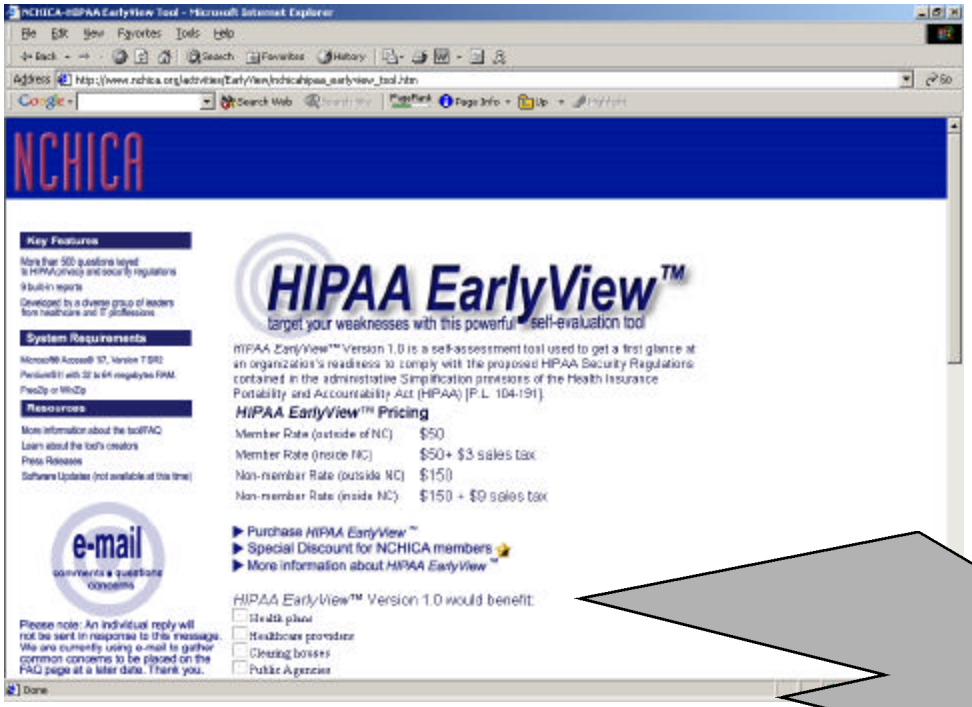
"HIPAA Privacy Compliance In a Box"

For Medical Practice

www.nchica.org/e-commerce/evinfo.htm

What does HEVp Do?

- *Organizes* your initiative toward compliance with HIPAA privacy rules
- Provides a *'gap analysis'* to show what you need to do to comply
- *Clarifies* the HIPAA privacy regulations
- Provides a program of *action* for HIPAA compliance
- Provides *templates* for key HIPAA compliance documents



Downloadable from NCHICA web site

Microsoft Access™

Database application

Runs on Windows 95/98/2000

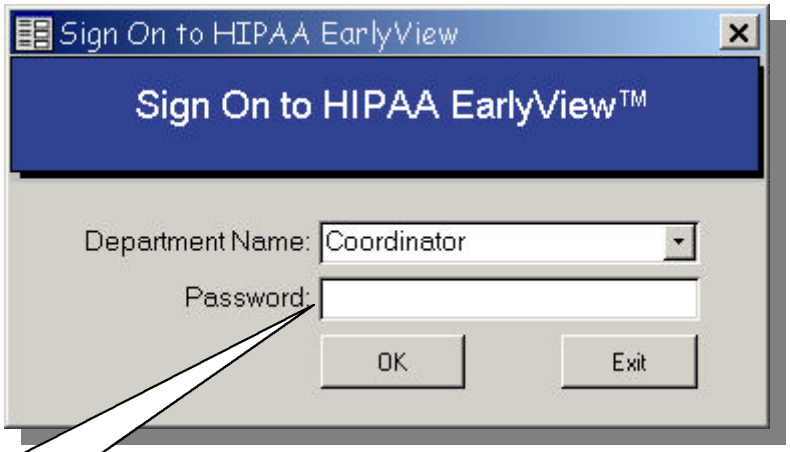
Minimum Requirements

	HIPAA EarlyView™ Version		
	Access 2000	**Access '97**	**RunTime**
Disk Space	3.5 MB	3.0 MB	43 MB
MS-Access	2000, 2002, XP	'97	None
Hardware	Pentium II, 32 MB memory		
Op. System	Windows 98, 2000	Windows 98	Windows 95
Internet	High speed internet connection recommended		
MS-Word	2000, 2002, XP	'97	'95

Tour of
HIPAA EarlyView™
Privacy

Login

The Coordinator can configure HEVp for multiple users & departments. Initially, the Coordinator is the only user.

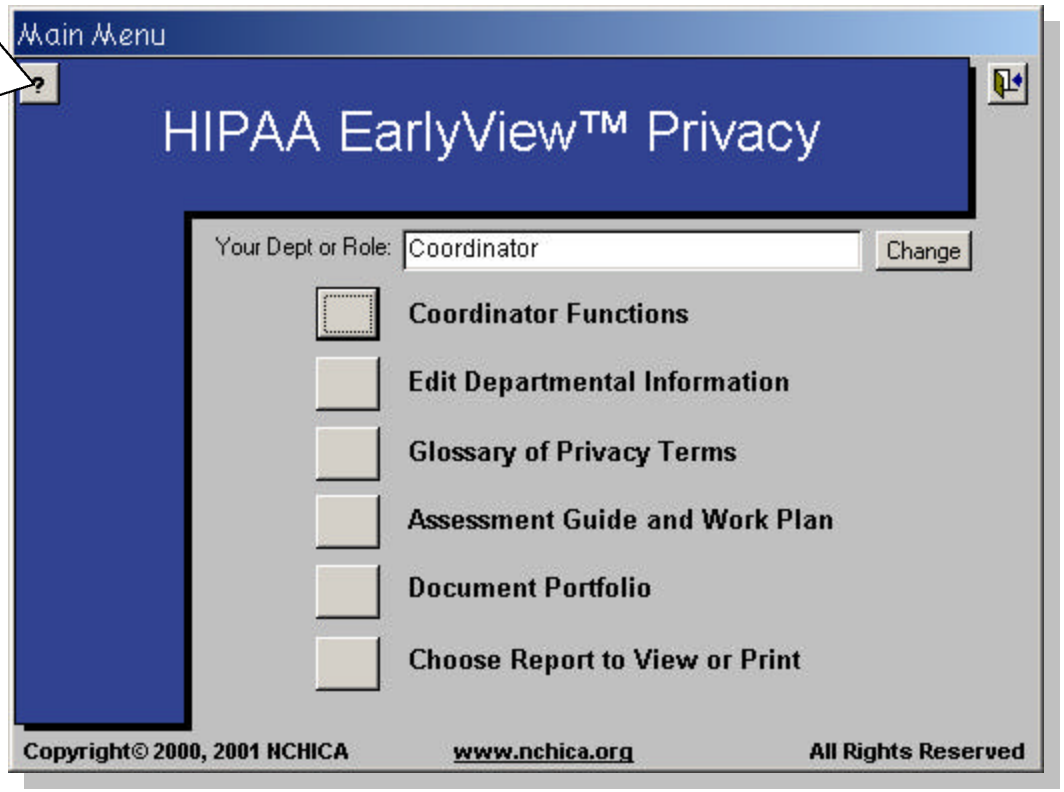


The Coordinator password is initially blank

Main Menu

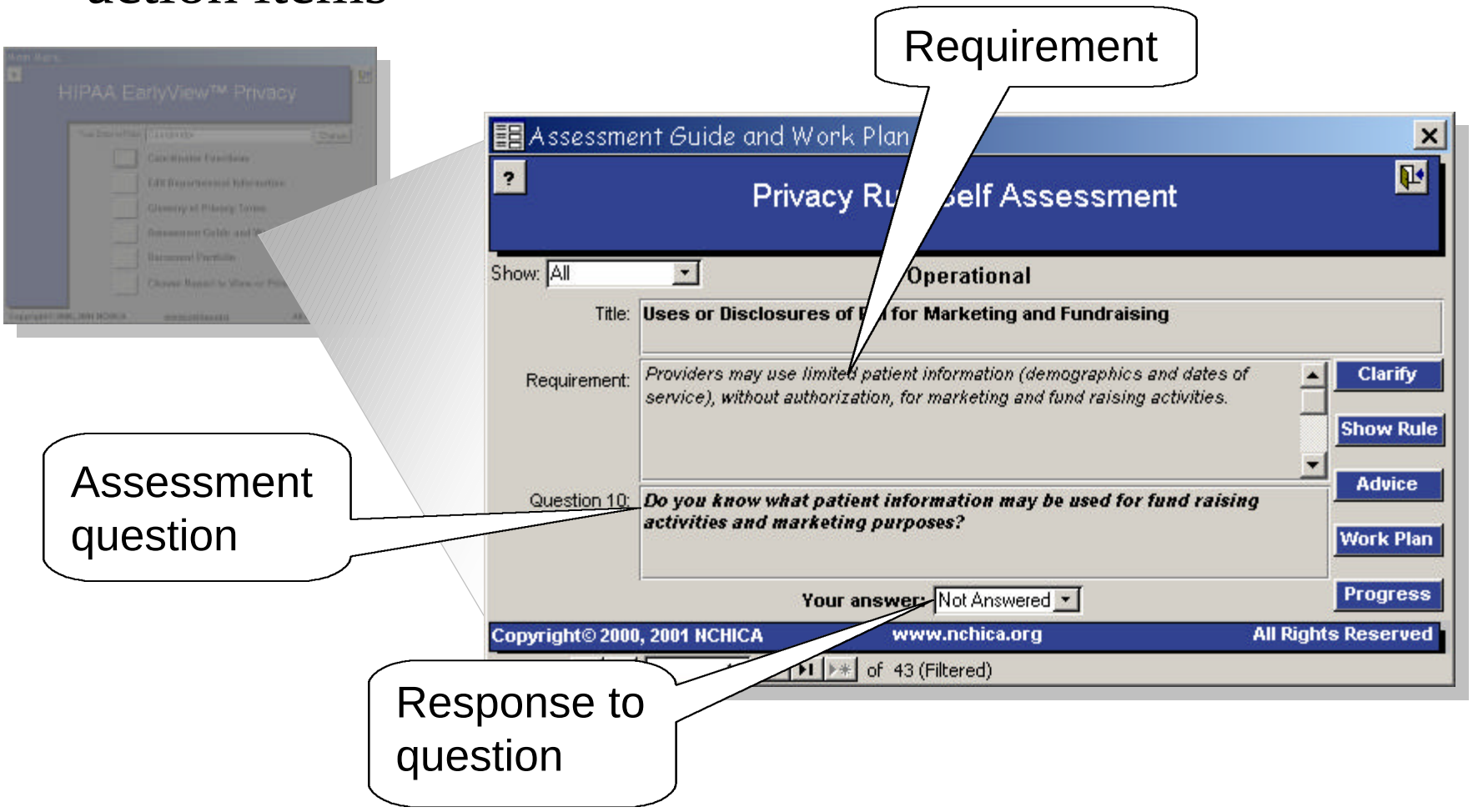
Provides access to all HEV features

Help is available for most functions.



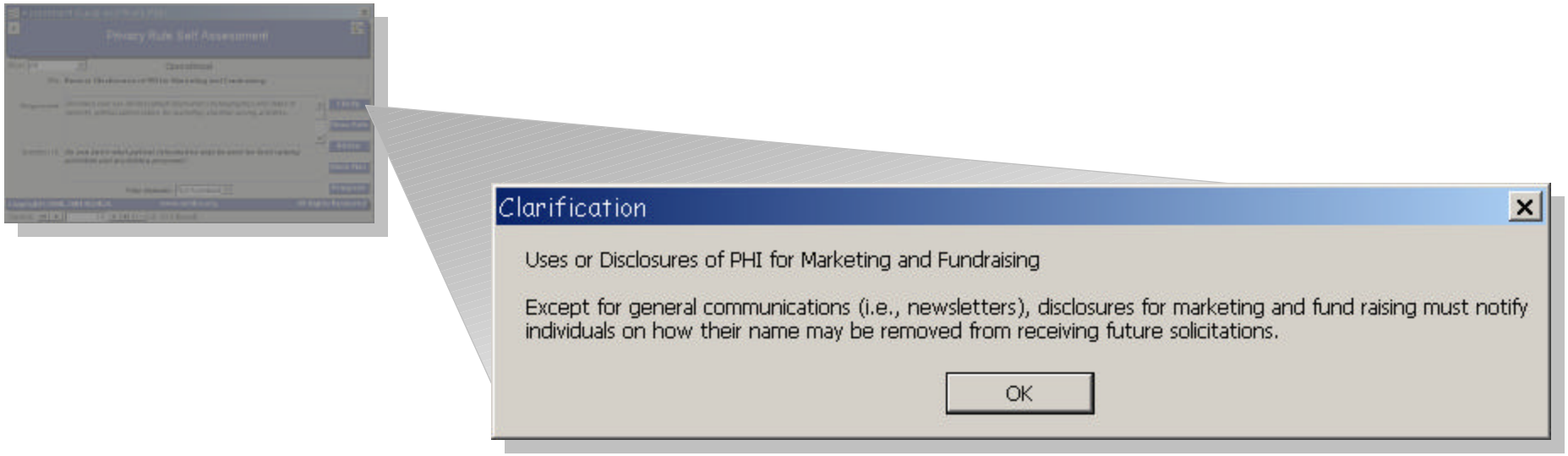
Assessment Guide and Work Plan

For each requirement: clarification, assessment, action items



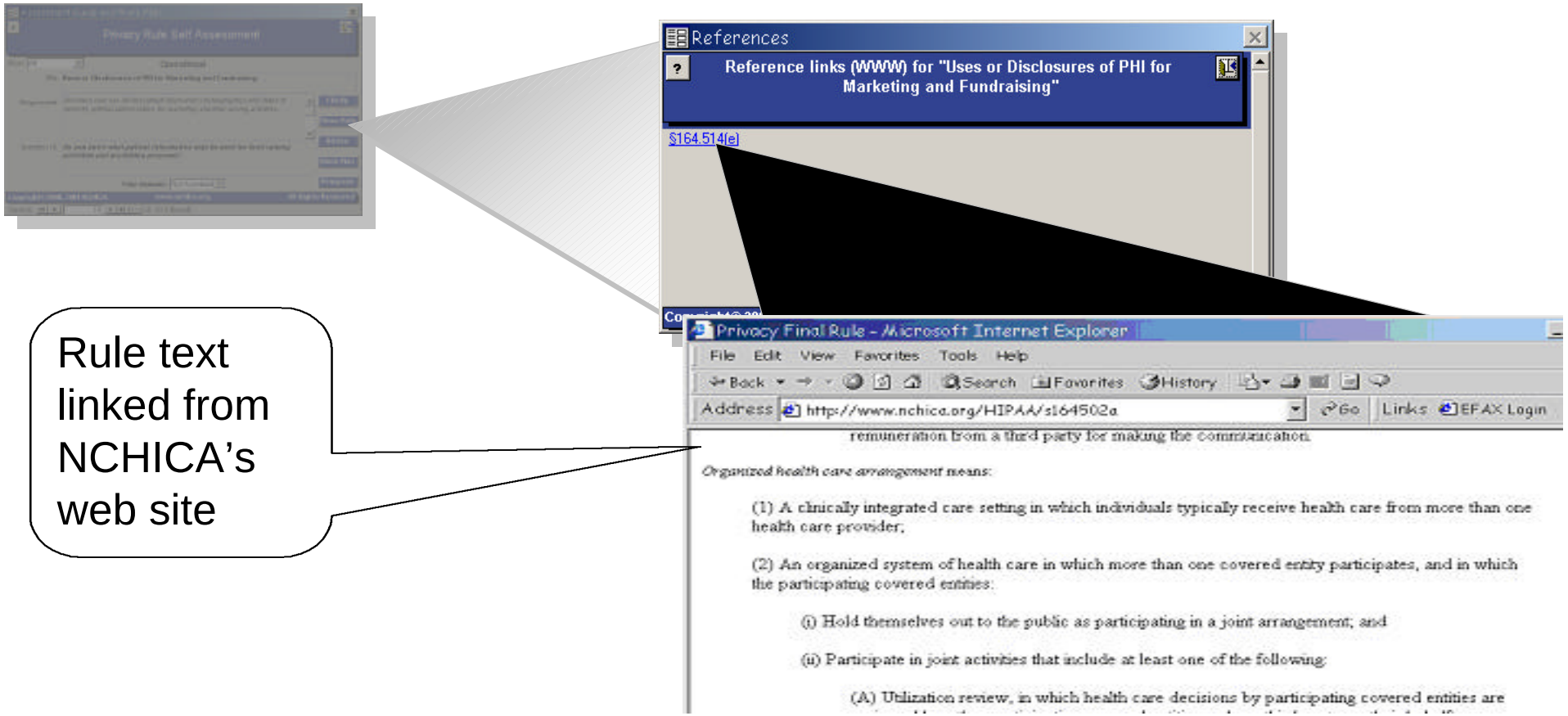
Requirement Clarification

Provides expanded discussion of each requirement



Rule Text

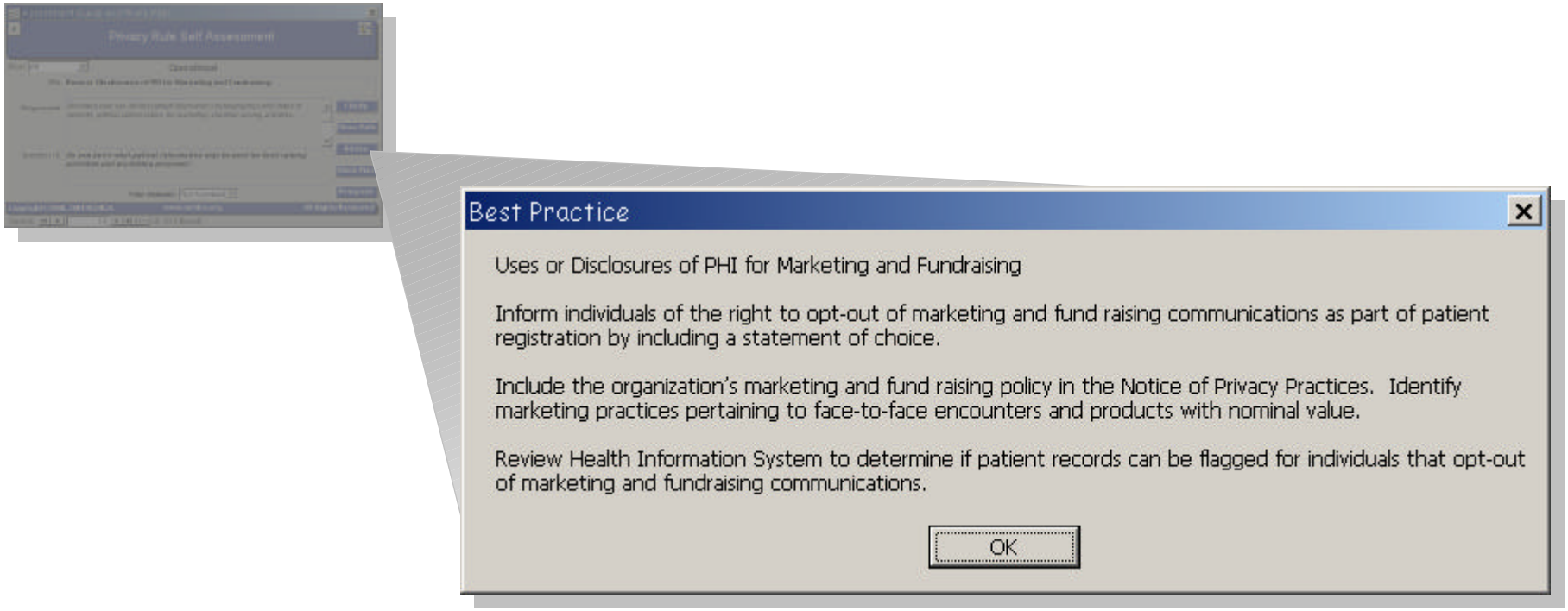
Shows actual text of the Privacy rule for each requirement



Rule text linked from NCHICA's web site

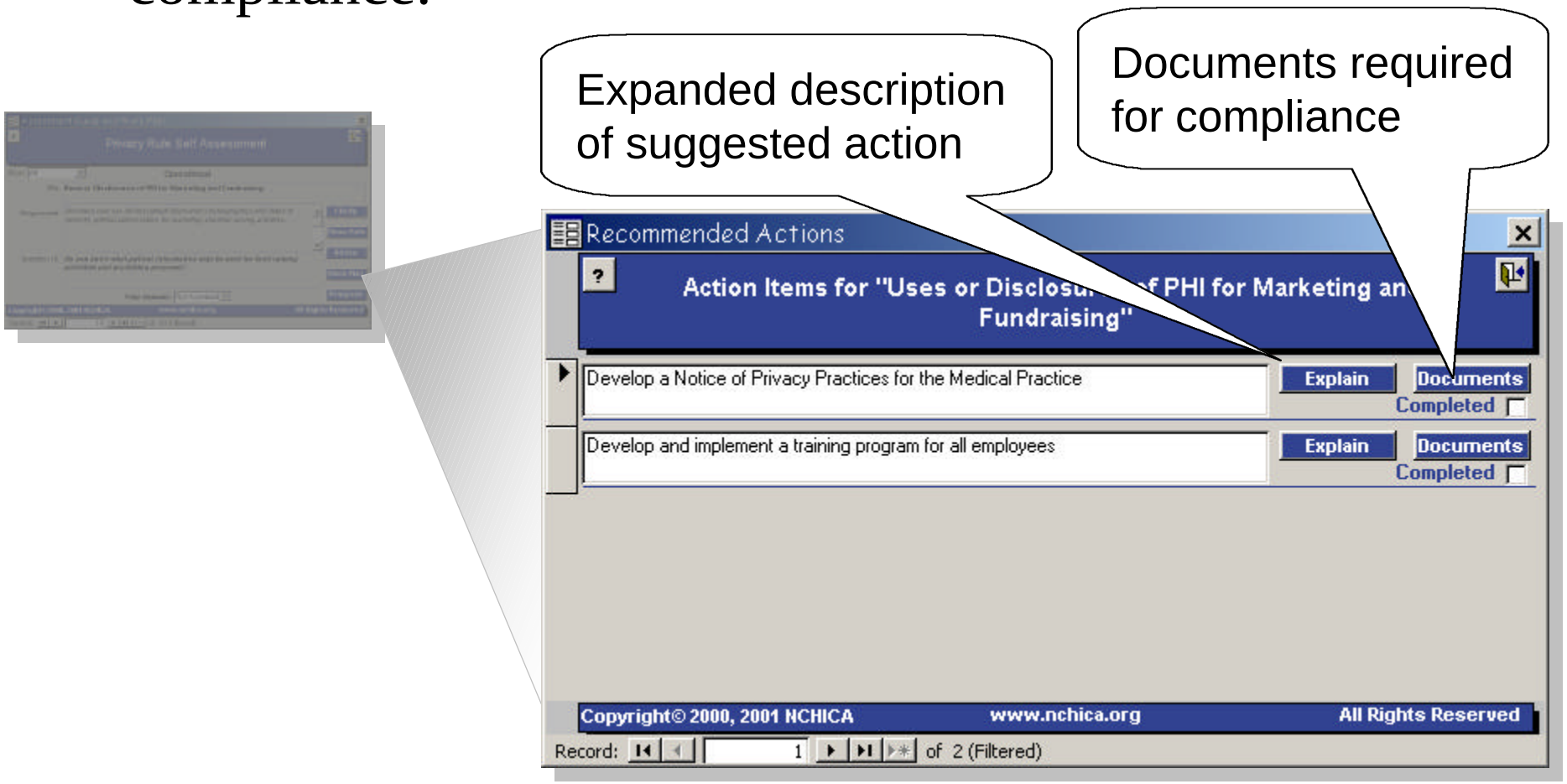
Best Practices Advice

Provides advice from industry experts on how to comply with a requirement



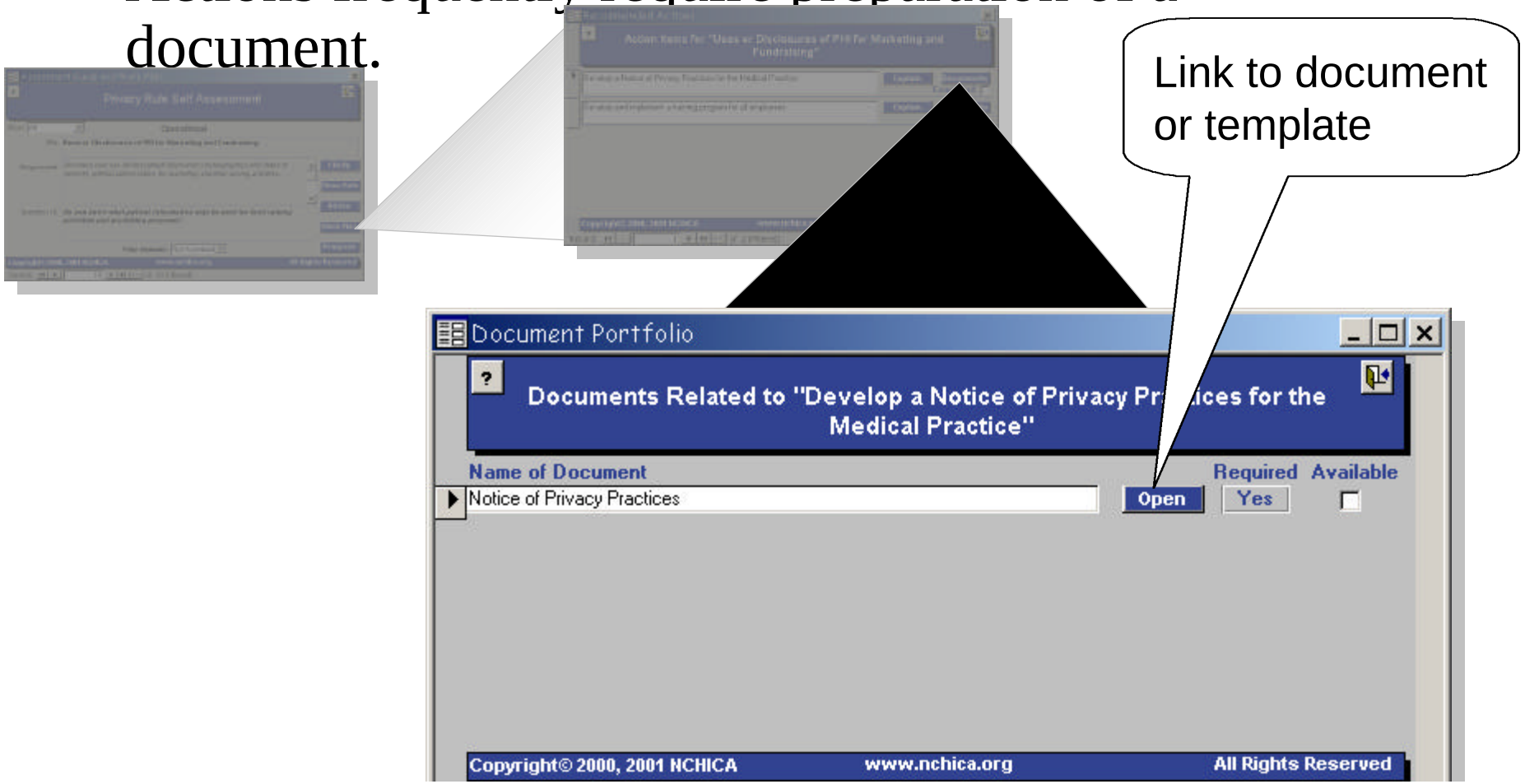
Work Plan

Each requirement has a set of action items for compliance.



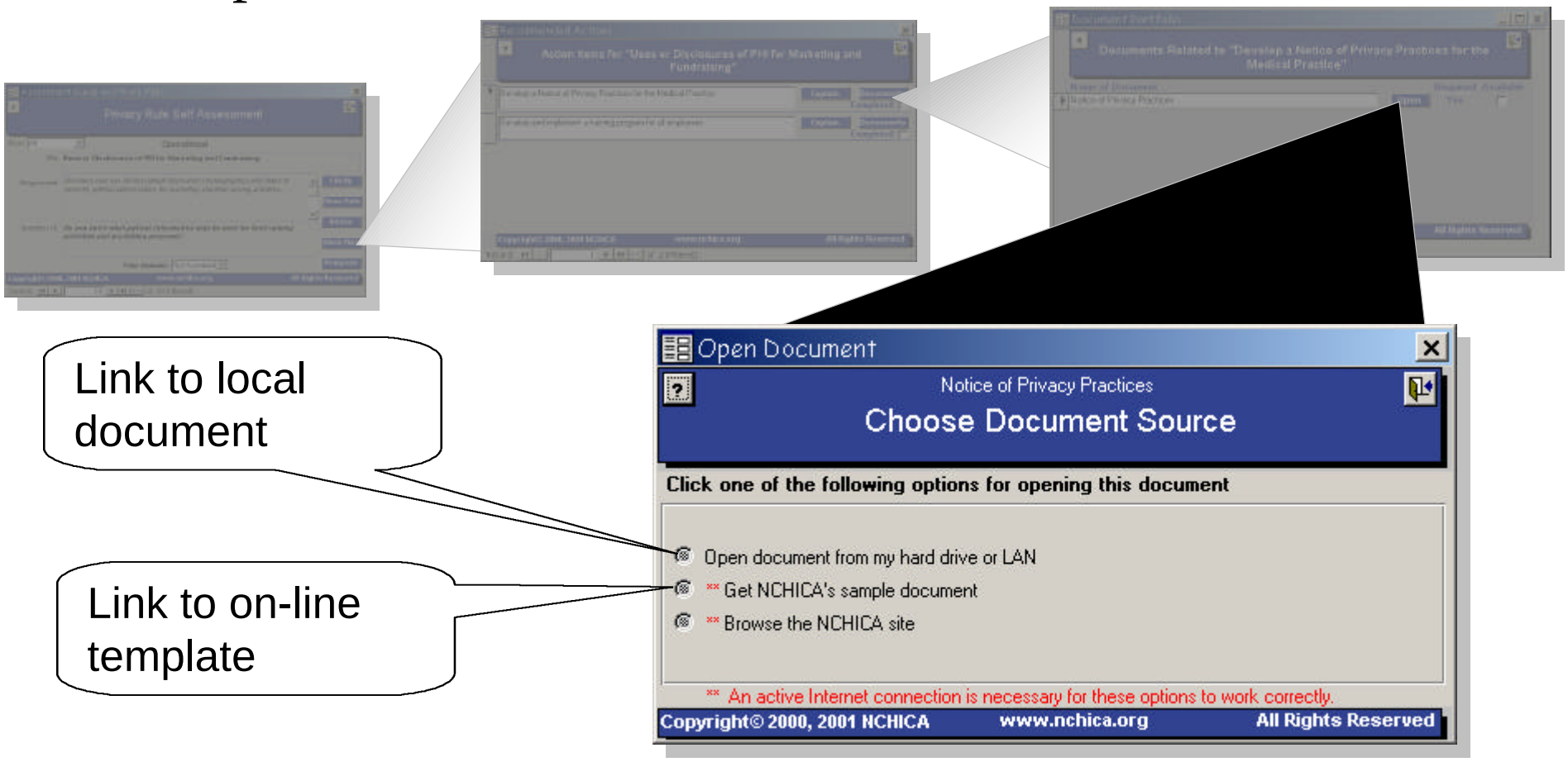
Compliance Documents

Actions frequently require preparation of a document.

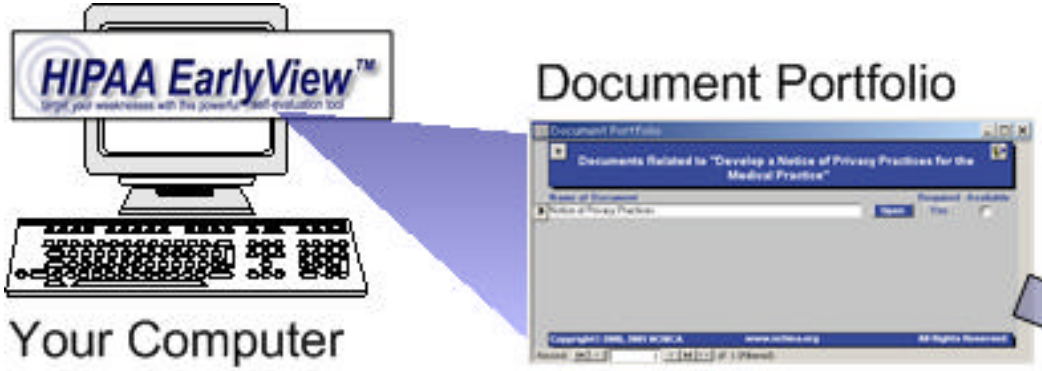


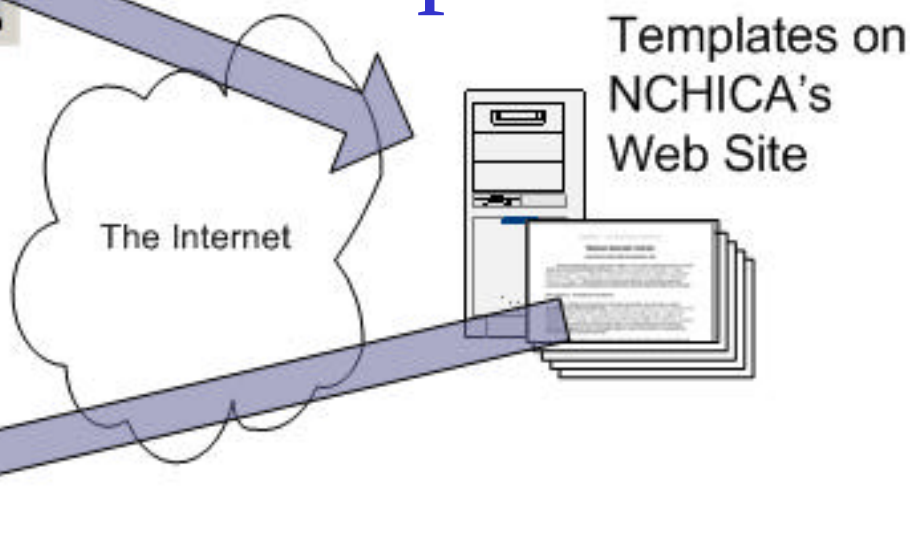
Document Management

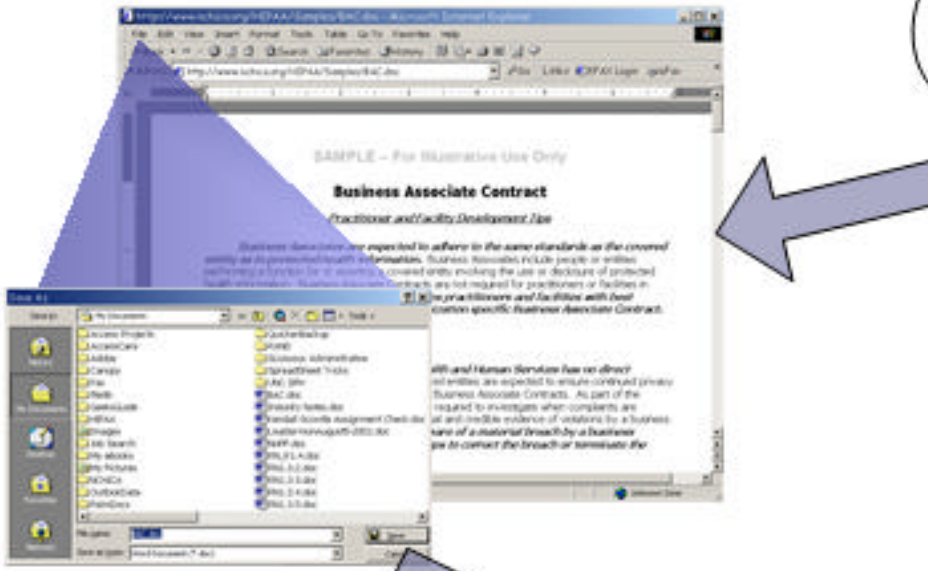
You can create and manage your organization's compliance documents.

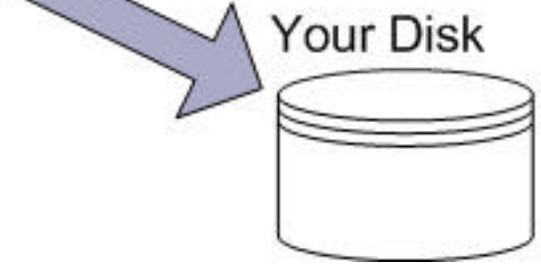


On-Line Templates





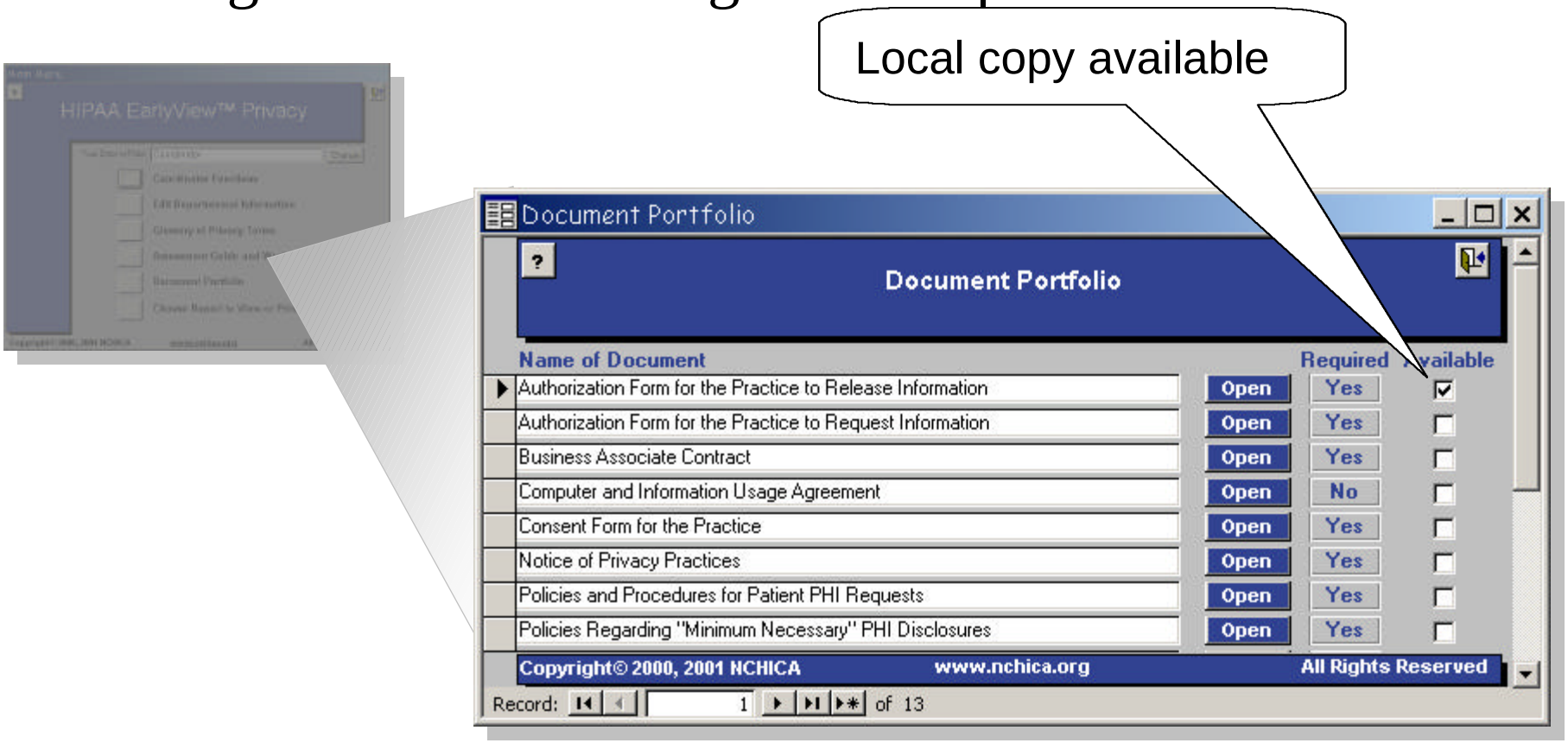




On-line document templates from NCHICA's web site provide a 'jump-start' for preparing your own compliance documents.

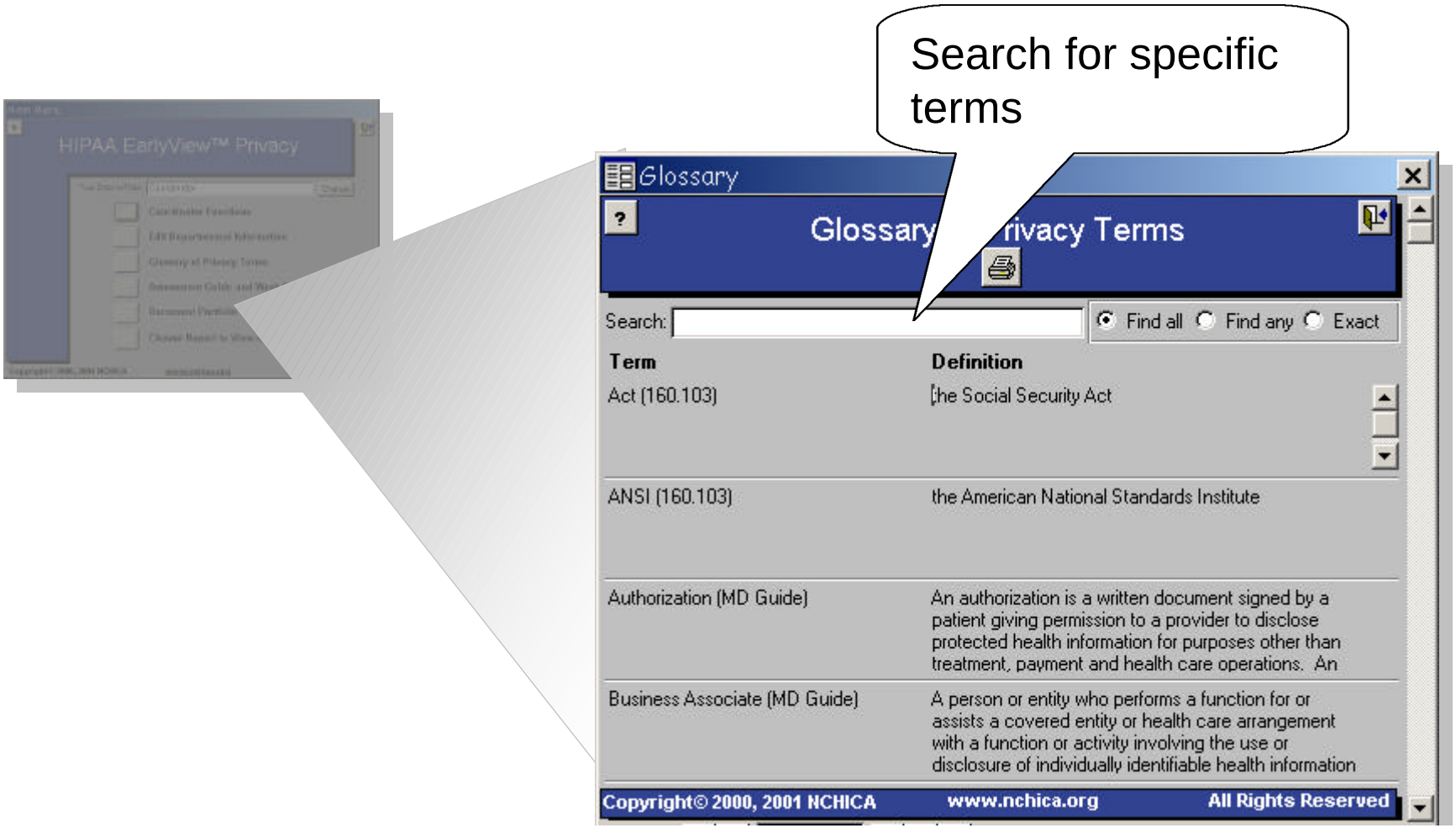
Document Portfolio

A single screen to manage all compliance documents



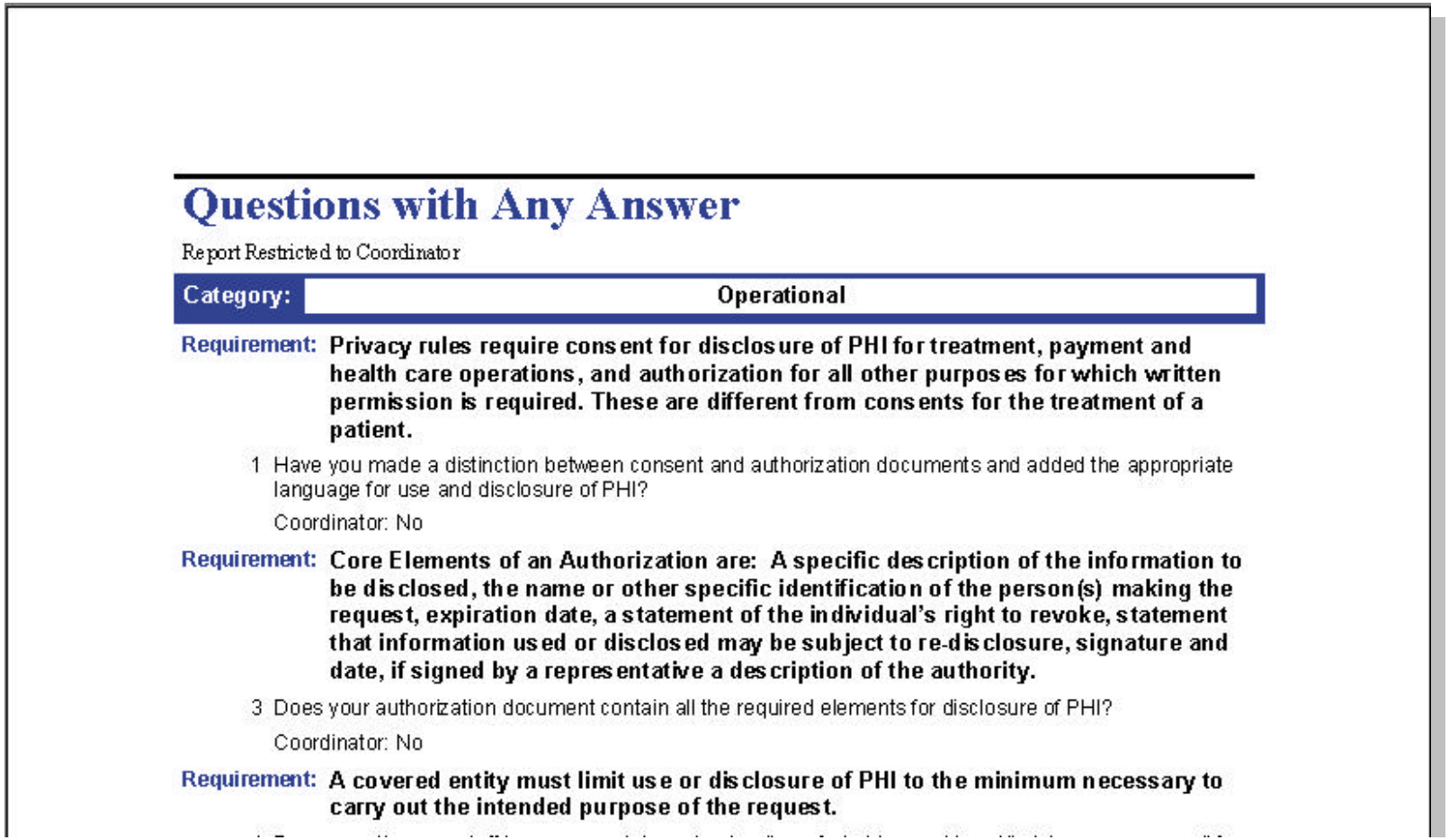
Glossary of Terms

A convenient guide to HIPAA terminology



Reports

HEVp provides a full range of management reports.



Questions with Any Answer

Report Restricted to Coordinator

Category: Operational

Requirement: **Privacy rules require consent for disclosure of PHI for treatment, payment and health care operations, and authorization for all other purposes for which written permission is required. These are different from consents for the treatment of a patient.**

1 Have you made a distinction between consent and authorization documents and added the appropriate language for use and disclosure of PHI?

Coordinator: No

Requirement: **Core Elements of an Authorization are: A specific description of the information to be disclosed, the name or other specific identification of the person(s) making the request, expiration date, a statement of the individual's right to revoke, statement that information used or disclosed may be subject to re-disclosure, signature and date, if signed by a representative a description of the authority.**

3 Does your authorization document contain all the required elements for disclosure of PHI?

Coordinator: No

Requirement: **A covered entity must limit use or disclosure of PHI to the minimum necessary to carry out the intended purpose of the request.**

Caveats

- To keep cost to a minimum, HEVp is distributed “as is,” without technical or other support.
- Documents and templates are for example only. HEVp does not provide all documents that will be required by the regulations or by state laws.
- Users should consult their legal counsel prior to adoption of any document.
- NCHICA cannot and will not accept any legal liability arising from the use of these tools or associated documents.

Resources

- NCHICA: **www.nchica.org**
- WEDi/SNIP Web site: **snip.wedi.org**
- DHHS/HIPAA: **aspe.hhs.gov/admnsimp**

On the Internet, Nobody Knows You're a Dog

"On the Internet, nobody knows you're a dog."