

# HIPAA Summit West II Case Study

## A Multidisciplinary Approach: Organizing Focused Work Groups



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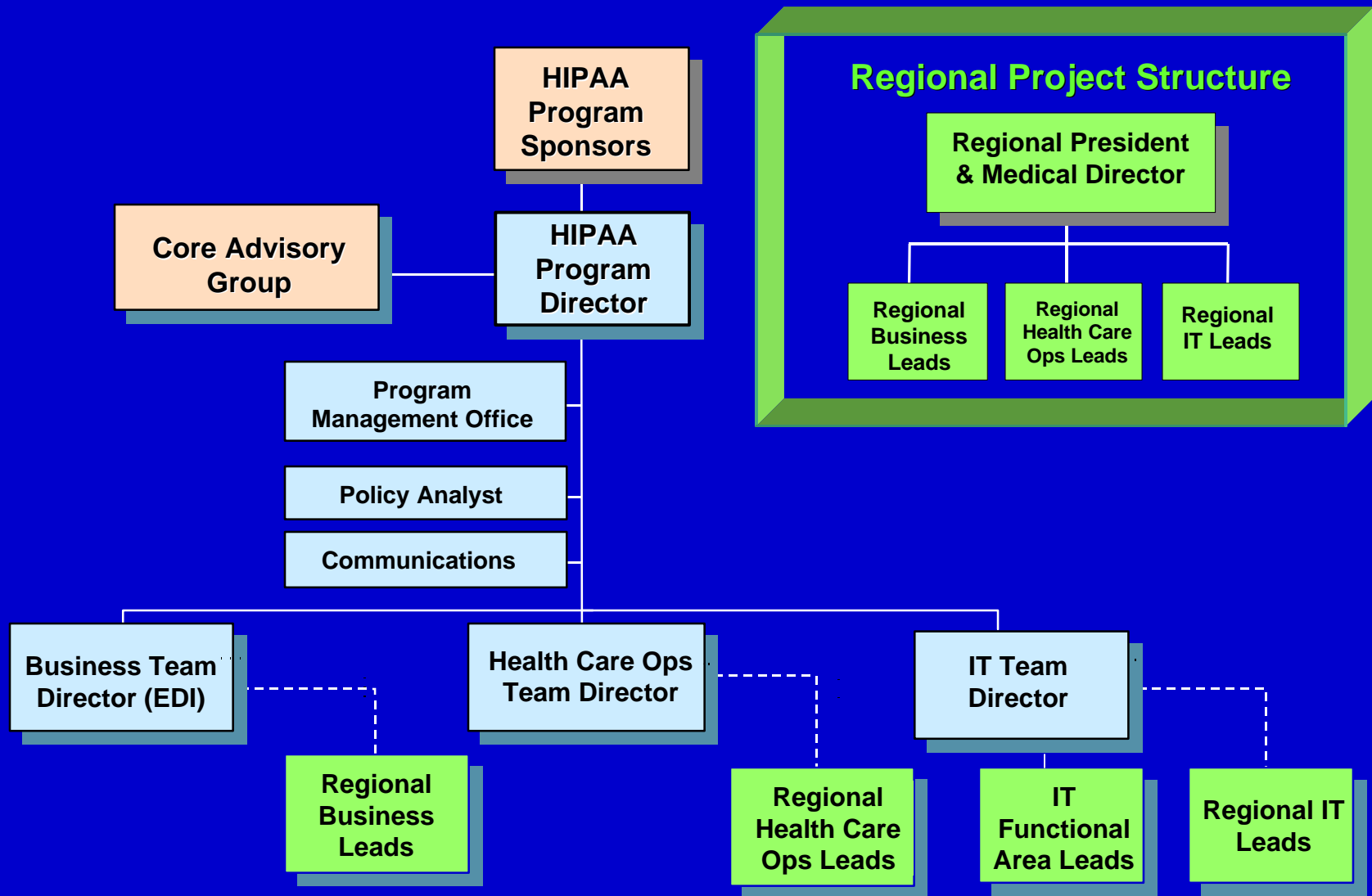
# Kaiser Permanente: A Snapshot

- **Kaiser Permanente has:**
  - ✓ **Regions in 9 states and Washington, DC**
  - ✓ **8.3 million members**
  - ✓ **29 Medical Centers**
  - ✓ **423 Medical Offices**
  - ✓ **11,345 physicians**
  - ✓ **122,473 non-physician employees**
  - ✓ **More than 3,000 applications that contain HIPAA relevant information**

# The KP HIPAA Approach

- National sponsorship: Health Plan, Hospitals, Medical Groups and IT
- Regional sponsorship: Regional Health Plan Presidents, Medical Directors
- Multi-disciplinary core advisory group: Legal and Government Relations, Internal Audit, Public Affairs, IT Security, Health care operations, Labor Relations, Others as needed
- National and Regional Teams: National directors for IT, Business, Health Care Operations; Regional leads for IT, Business, Health Care Operations; KP-IT Functional Leads
- Legal expertise: Internal and external
- Advocacy: To achieve favorable interpretations

# National Team Organization



# Kaiser Permanente Hawaii: A Snapshot

- **Kaiser Permanente Hawaii has:**
  - ✓ **220,000+ members**
  - ✓ **1 Medical Center and contracts with local hospitals on Oahu and 3 neighbor islands**
  - ✓ **17 Medical Offices**
  - ✓ **350+ physicians**
  - ✓ **3,500+ non-physician employees**
  - ✓ **More than 100 applications that may contain HIPAA relevant information**
  - ✓ **We have initiated implementation of an EMR**
  - ✓ **Hawaii's approach to developing their strategic plan: the Path Forward**

# Hawaii HIPAA Team



## SPONSORS

Authorizing: Medical Group President, Regional Manager

Top Reinforcing: Controller, Government Programs Director,  
Marketing Director, Hospital Administrator, Ancillary Services  
Director, IT Manager

## PROJECT MEDICAL DIRECTOR

## OVERALL PROJECT MANAGER

## REGIONAL BUSINESS LEAD

## PROJECT COORDINATOR

## REGIONAL HEALTH CARE LEADS

Clinics  
Hospital

## COMMUNICATIONS & POLICY ANALYST

## REGIONAL IT LEAD

## PRIVACY OFFICER

## SECURITY OFFICER



# **We're Going to Focus on KP's Approach to HIPAA Privacy**

# HIPAA Privacy Components

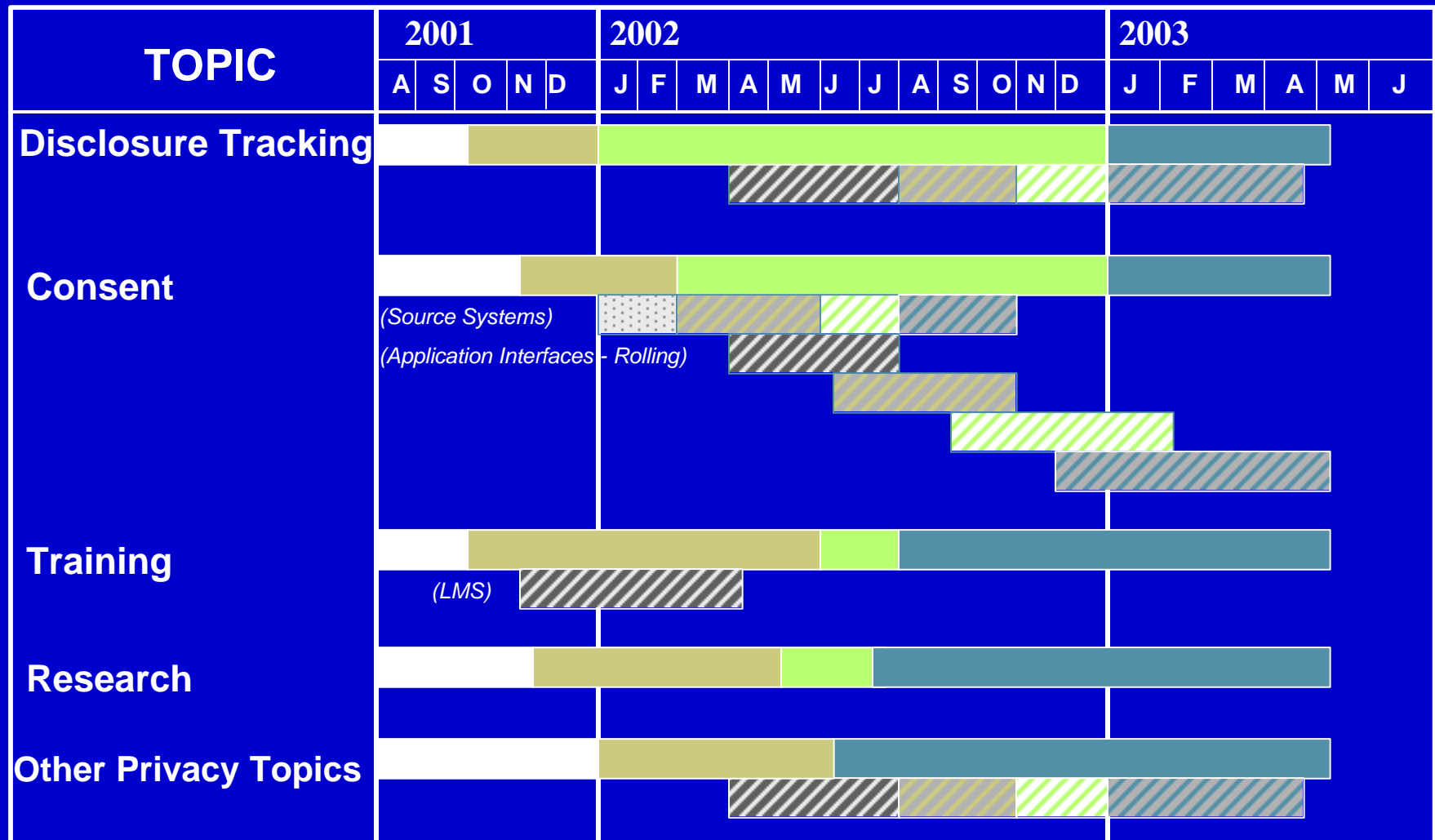
- Required to comply with HIPAA Privacy rule by April 14, 2003

## Key Topics:

- Consent
- Disclosure Accounting
- Training
- Research
- Other - Marketing, Authorization, Facility Directories, Confidential Communications, Access/ Amend Protected Health Information



# KP HIPAA Privacy Timeline



# How KP Work Groups Work

- Overarching Privacy Work Group defined key issues
- Charter and key deliverables developed for individual work group
- Participants from multiple disciplines invited (e.g., national and regional HIPAA staff, representation from affected work areas, subject matter experts, IT, Labor/ Management Partnership, others)
- Each topic “worked” via conference call
- Focus on deliverables, raising issues, sharing expertise, building consensus
- Subgroups split off for focused work as needed
- Recommendations prepared for key decision makers

# Privacy/Security Training Group

- Phase I (Aug. - Dec. 2001) deliverables:
  - ✓ Strategic Approach Document
  - ✓ Communications training options document by subgroup
  - ✓ HIPAA Security & Privacy Training Design Document
- HIPAA national and regional leads, training experts, compliance, labor/management, IT
- Subgroups take some tasks “off line”
- National HIPAA staff developed “strawman” documents to support work group tasks

# Phase II Training Up and Running

- Phase II (Feb. – May 2002) deliverables:
  - ✓ HR policies
  - ✓ Vendor selection for HIPAA privacy and security content
  - ✓ Collaboration with Kaiser Permanente Learning Management Initiative
  - ✓ Strategize development and customization of training content
  - ✓ Develop implementation template regions can customize
- Reconfigured work group

# Disclosure Accounting Work Group

- National work group August - October 2001
- Work group representation from Health Information Management (HIM)/Medical Records, Legal, operations
- Scope: health plan, providers, national, regional, business associates
- IT system needed for most departments making disclosures required in accounting
- HIM/Medical Records often have release of information tracking already
- Enhance/build/buy decisions
- Issues: business associates, research disclosure accounting

# Research Work Group

- National work group: February - April 2002;
- Work group representation from KP research centers, IRBs, and Legal Dept.
- Topic include:
  - ✓ Authorizations for research combined with treatment
  - ✓ Waiver requirement for research approved by IRBs
- Major issue: Tracking and accounting of disclosures of PHI for research

# **Case Study: HIPAA Consent Work Group**

# **Taking on HIPAA Consent**

- **Demanding set of requirements**
- **Highly visible to our customers**
- **Impacts operational areas with potential service delays and need for communication and training**
- **Volume of HIPAA consent collection large at first, then tapers off**



# **Consent Planning and Roll Out**

- **Nearly 40 participants from across KP on Consent Work Group, including: compliance, regulatory, operations, member marketing, public affairs, pharmacy, publications distribution, IT, member web site, HIPAA staff**
- **Aggressive timeframe: Weekly meetings November 2001 to January 2002**
- **Regional review of recommendations and requirements in February**
- **Policy decisions slated for March and April**
- **IT design January through June**
- **Roll out July 2002 through April 2003**

# Work Group Consent Consensus

- KP will define itself as an “organized health care arrangement” (OHCA) under HIPAA, allowing joint notice of privacy practices, joint HIPAA consent, and joint health care operations
- KP will obtain HIPAA consent in a variety of ways, including in person at medical facilities, online, and mail outreach
- KP will store HIPAA consent information in existing databases and retrieve it at key locations, e.g., medical office registration, pharmacy, admitting, appointment and advice services
- KP will scan HIPAA consent forms and store them electronically
- KP will not allow restriction of uses and disclosures for treatment, payment and health care operations <sup>18</sup>

# **Key Issues Affected by Potential Privacy Rule Revisions**

- **Arranging services and providing treatment over the phone before consent obtained**
- **Health care operations disclosures for quality and regulatory purposes prevented by HIPAA but required by other laws or for accreditation and licensing**

# **From A Regional Perspective**

## **What's in it for Hawaii...**

- **Provided “real time” opportunity for regional input on policy decisions**
- **Facilitator created “safe environment” to promote creative, interactive dialogue, and participant commitment**
- **Enabled work group to leverage resources**
- **Provided platform for consistency across the enterprise**
- **Achieved synergistic outcomes**

## **Benefits of Involvement...**

- **Provided a foundation for the local team to communicate national decisions**
- **Presented opportunity to solicit feedback on policies/business requirements**
- **We didn't have to do it all ourselves**
- **Provided an avenue to educate key stakeholders within the region**
- **Created an environment of inclusion**

# **So How Do We Get That Signature?**

- **Engage staff from the entire organization**
- **Inform a wide audience regarding the regulatory requirements**
- **Develop content experts within the front line staff**
- **Then create diverse methodologies to acquire the HIPAA consent**
- **Construct an effective tracking mechanism**

# **What Are We Doing Next in Hawaii?**

- **Conduct continuous educational sessions**
- **Early identification of operational issues/barriers**
- **Generate solutions prior to implementation**
- **Ensure visible executive (sponsor) support then seek organizational buy-in**
- **Participate in the Hawaii Health Information Corporation/HIPAA Readiness Collaborative**



# What Have We Learned?

- It's an enormous effort
- Process is not going to be pretty or perfect
- To meet the compliance deadline we will have to take risks regarding what will happen with Privacy Rule revisions and final Security Rule
- Make “best guesses” and be ready to adapt as components of rule finalized
- Do advocacy: collaboratively (e.g., industry groups) and as an individual organization

# Questions?

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