HIPAA Compliance Case Study: Practical HIPAA Compliance Strategies for Small Providers
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A. ORGANIZATIONAL CONSIDERATIONS

1. Selection of Privacy Officer:
   a. Overall general knowledge of company processes
   b. Position of authority
   c. Regular responsibilities include one or more of the following: risk reduction, complaints, regulatory or legal functions, quality management
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A. ORGANIZATIONAL CONSIDERATIONS (cont)

2. Selection of Privacy Committee:
   a. All major departments represented
   b. All levels of staff and authority represented
   c. Supervisor/Manager buy off on committee attendance
   d. Set regularly scheduled day and time for meetings
   e. Capitalize on time by assigning homework
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A. ORGANIZATIONAL CONSIDERATIONS (cont)

3. Selection of Security Officer
   a. Needs knowledge of information/technical systems, hardware and software programs and capabilities
   
   b. Authority level needs to allow for access to financial data
   
   c. Best fit might be the IT/systems administrator for the company
   
   d. Must be able to work with Privacy Officer
A. ORGANIZATIONAL CONSIDERATIONS (cont)

4. Selection of Legal Consultant
   a. Substantial experience in healthcare law
   b. Inquire about conferences/seminars attended
   c. Inquire, via references, about turn-around-time and customer service issues
   d. Willing to let you do most of initial preparatory work
   e. Remember – No tried experts in this area yet
A. ORGANIZATION CONSIDERATIONS (cont)

5. Ownership of the data
   a. Before embarking discuss who really owns the data under consideration

   b. If you are a recipient of data and not the generator, you may have to follow someone else's protocols

   c. Do not spend valuable time developing documents you won't be able to use

   d. Color code forms for different lines of business, keeping in mind copying requirements
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B. PREPARING WRITTEN DOCUMENTS

1. Begin with review and discussion of who needs what data to do their jobs (see Role Based Access Summary)

2. Then conduct a thorough review of existing policies, procedures, protocols

3. Adapt and Modify already existing documents

4. Reserve one individual with excellent writing and grammar skills to serve as final proof reader

5. Prepare drafts and then submit for legal review
C. TRAINING NEEDS AND APPROACHES

1. In-house versus a vendor?
   a. Is there enough lead time?

   b. Is the trainer knowledgeable about HIPAA?

   c. Can the Privacy Officer find the time to conduct training?

   d. Weight the costs of an outside vendor against the costs to pull an existing employee from their other assignments to conduct the HIPAA training
C. TRAINING NEEDS AND APPROACHES (cont)

2. On-Going Requirements

a. Make it part of initial orientation; HR to do overall exposure and departmental manager/supervisor to train on job specific aspects

b. Provide HIPAA Workbook; include Policies, Procedures, Protocols, forms, process flowcharts, contact names and numbers

c. If have company wide e-mail consider making a game of HIPAA questions and answers based on actual incidences
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D. BEHAVIORAL HEALTH ISSUES

1. State Laws and Pre-emption
   a. Need to secure information regarding any state laws that are more stringent than HIPAA – Obtain from legal source
   b. HIPAA defers to state laws when they are more stringent

2. Fears/stigma still associated with receiving behavioral health care

3. Inadvertent access to sensitive information that could have disastrous effects
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