



HIPAA

OFFICE OF AUDIT, COMPLIANCE & PRIVACY

Why should HIPAA matter to me?

- First of all, what is HIPAA?
 - Health Insurance Portability and Accountability Act of 1996.
 - Health Information Technology for Economic & Clinical Health Act (HITECH) a part of the American Recovery and Reinvestment Act (ARRA) 2009 amended HIPAA.
 - Created a number of regulations dealing with:
 - Administrative Simplification (billing codes, etc.)
 - Privacy
 - Security
 - Breach

Why should HIPAA matter to me?

- Do you work with Personally Identifiable Information, PII? Do you work with Protected Health Information, PHI? Conduct research with PII or PHI? or Work in a department that works with or conducts research with PII or PHI?
 - Protected Health Information, PHI, is a specific type of Personally Identifiable Information, PII.
- If you do, it is important to understand HIPAA or know enough information to ask for help and guidance!
 - There may be additional steps that you have to take to keep PHI private and secure as a part of your job or for your research project.
 - If you are considered to be a covered entity under HIPAA, then you are currently involved in HIPAA compliance on a daily basis.

What is Protected Health Information, PHI?

- PHI is individually identifiable health information held or transmitted by a covered entity or a business associate, that relates to:
 - The individual's past, present or future physical or mental health or condition
 - The provision of health care to the individual or
 - The past, present, or future payment for the provision of health care to the individual.
- Reference: <https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html>.

What are examples of PHI?

- Names
- Addresses & geographic subdivisions
- DOB
- Telephone numbers
- VIN, DL number, Passport number
- Fax Number
- Email address
- Web Universal Resource Locator (URLs)

What are examples of PHI?

- Social security numbers
- Internet Protocol (IP) address
- Medical Record Number
- Biometric Identifiers
- Health plan beneficiary numbers
- Full face photos
- Account numbers
- Professional license numbers, or other unique identifiers

Doesn't the university take care of privacy and security for me?

- The situation is a bit more complicated than “yes” or “no”
- The University does have multiple sites with resources on line:
 - Vice President for Research and Development:
 - <https://cws.auburn.edu/ovpr/>
 - AU Research Compliance:
 - <https://cws.auburn.edu/OVPR/pm/compliance/home>
 - Office of Audit, Compliance & Privacy
 - <http://www.auburn.edu/administration/oacp/orsc.php>

Your Research partners may require additional documentation

- Depending on the nature of the PHI you receive, the entity providing the data may require additional documentation as to:
 - Cyber insurance (a/k/a breach insurance);
 - Computer security;
 - HIPAA & Security training for you and your staff; and
 - Signed verification that you will comply with the Privacy Rule and the Security Rule to the extent it applies to you by executing a Business Associate Agreement (BAA).

We Need you to be a partner in making sure PHI is maintained & used in a secure manner

- We are NOT asking you to be an expert on HIPAA regulations!
- We ARE asking you to:
 - Understand major concepts about HIPAA & identify if you are working with PHI (PII);
 - Reach out if you have questions regarding privacy & security;
- Also, if you are not sure if the information is protected by HIPAA or FERPA, please reach out to us!

We need you to be a partner in making sure PHI is maintained & used in a secure manner

- Understand that new IRB approvals may require additional questions to be answered regarding PHI & PII to comply with federal regulations;
- Allow us to be a resource for you and your department (and research partners); and
- If there is unauthorized access to PHI to reach out to us immediately.
 - Or if you suspect there has been unauthorized access!

Commitment to Excellence

- You are a vital part of HIPAA Compliance!
 - Your commitment to learning about HIPAA and reaching out for assistance; and
 - We need your commitment to compliance with these regulations;
- If those values seem familiar, they are:
 - “I believe in education, which gives me the knowledge to work wisely and trains my mind and hands to work skillfully”.
 - “I believe in obedience to law because it protects the rights of all”.
 - *The Auburn Creed*, George Petrie (1943).

Commitment to Excellence

- The University is committed to a culture of compliance and excellence-by leading and shaping the future of higher education.
- I welcome the opportunity to work with each of you.

Additional Reference Links

- Summary of the HIPAA Privacy Rule
 - <https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html>
- Summary of the HIPAA Security Rule
 - <https://www.hhs.gov/hipaa/for-professionals/security/laws-regulations/index.html>
- HIPAA & Research
 - <https://www.hhs.gov/hipaa/for-professionals/special-topics/research/index.html>
- NIH-Protecting PHI in Research
 - https://privacyruleandresearch.nih.gov/pdf/HIPAA_Booklet_4-14-2003.pdf

Thank you!

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