# HIPAA and HITECH Training Module

**Man**: Let’s talk about why protecting sensitive information is so important.

**Banner:** It’s the law!

*Next Scene*

U.S. Laws exist to protect private information. Specifically, HIPAA and HITECH! All IHS computer users, including employees, contractors, and interns, must follow them!

*Next Scene*

HIPAA: The Health Insurance Portability and Accountability Act. HIPAA covers health plans, healthcare clearinghouses, and healthcare providers that conduct certain electronic transactions. IHS is subject to laws governing health plans and healthcare providers.

*Next Scene*

HIPAA’s Privacy Rule protects the privacy of protected health information (PHI), whether electronic, on paper, or communicated orally.

**Man**: HIPAA’s main goals are to…

**Woman**: Ensure privacy while maintaining access to quality healthcare?

**Man**: Yes!

**Woman**: Guarantee patients access to their medical records and health information?

**Man**: Yes!

**Woman**: Give people more control over how their protect health information is used?

**Man**: Yes!

**Woman**: Provide a clear avenue of recourse if an individual’s privacy is compromised?

**Man**: Yes!

*Next Scene*

HIPAA mandates:

**Orange Box**: Written Privacy Procedures. Including a description of staff who have access to PHI, how it will be used, and when it may be disclosed.

**Woman**: IHS privacy procedures are located at <http://www.ihs.gov/HIPAA>

*Next Scene*

HIPAA mandates:

**Orange Box:** New Employee and Ongoing Refresher Training. IHS requires that certain employees take the online HIPAA training within 30 days of hire and every three years thereafter.

**Woman**: The training is located at <http://www.ihs.gov/HIPAA>

*Next Scene*

HIPAA mandates:

**Orange Box**: Limited Disclosure of Health Information. HIPAA permits IHS to continue certain existing disclosures for specific public responsibilities.

**Woman**: Like certain emergency circumstances and law enforcement activities.

*Next Scene*

HITECH: The Health Information Technology for Economic and Clinical Health Act. HITECH was part of the American Recovery and Reinvestment Act. It strengthens HIPAA by expanding criminal consequences and adding civil penalties for PHI breaches and violations. HITECH also empowers state attorney general offices to enforce some HIPAA elements.

*Next Scene*

HITECH enhancements include: 1. Mandating certain notifications when unauthorized disclosure occurs.

**Man**: IHS must notify HHS and affected individuals of PHI breaches…(the media too, if it affects more than 500 people).

And. 2. Expanding privacy rules to entities that do work on behalf of providers and insurers.

**Man**: That means our contractors and business partners are responsible too.

And. 3. Providing audit trails of all electronic record disclosure.

**Man**: We have to keep track of everything we do with patient’s health information.

And. 4. Increasing penalties for violations.

**Man**: CRIMINAL penalties now apply! AND civil MONETARY penalties increased to as much as $50,000 per violation or $1.5 million per year!!

*Next Scene*

Examples of HITECH violations include…

**Woman**: Not encrypting mobile devices or email that contain PHI. Sharing user credentials with others. Lost or stolen mobile devices containing PHI.

*Next Scene*

**Woman**: Want to know other ways you can help protect PHI?

*Next Scene*

Don’t access patient records without a business reason! (That’s breaking the law!)

**Woman**: You could be FIRED! Or be ordered to pay fines! Or you could go to JAIL!

*Next Scene*

Don’t let anyone borrow your user account or PIV card! (If someone needs access, they must register for an account.)

**Woman**: If anyone asks to borrow your account or PIV card, report it to your local IT staff.

*Next Scene*

If you suspect a breach of PHI has occurred, report it! (Tell your local IT staff.)

**Woman**: IHS investigates and addresses privacy violations, as required by HIPAA and HITECH.

*Next Scene*

For more information on HIPAA, please visit: <http://www.hhs.gov/ocr/privacy/hipaa/understanding/index.html>

For more information on HITECH, please visit: <http://www.hhs.gov/ocr/privacy/hipaa/administrative/enforcementrule/hitechenforcementifr.html>

**Woman**: Thank you!!

Click the button below to complete the module.