

Ten Steps Towards HIPAA Compliance

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1. Be committed to abiding by HIPAA regulations.

Non-compliance may result in legal and financial consequence. The Department of Health and Human Services (HHS) appointed the Office of Civil Rights (OCR) to enforce HIPAA regulations. See <http://www.hhs.gov/ocr/hipaa/finalmaster.html>.

2. Become familiar with current information about HIPAA.

For an excellent resource on understanding HIPAA regulations and how to address some implementation issues, see the HIPAA Desk Reference at <http://hpc.state.nm.us/hipaaap/deskreference.pdf>. Also check the Region 5 RCC HIPAA web pages for training opportunities in Albuquerque and New Mexico and other useful websites at <http://www.region5rcc.org/hipaa.htm>.

3. Get a complete list of policies and procedures.

Go to http://snip.wedi.org/public/articles/2002_0510_1.2.pdf Appendix VI: Policy Manual or go to <http://snip.wedi.org/public/articles/P&sp&p.pdf>.

4. Start a notebook for your HIPAA policies, procedures and forms.

The North Carolina Healthcare Information and Communication Alliance, Inc. has a number of checklists which address the various components of the Privacy Rule, Security and other documents. For this information go to <http://www.nchica.org/HIPAA/sampleddocuments.asp>. Also see <http://dirm.state.nc.us/hipaa/hipaa2002/toolsandtemplates/toolsandtemplates.html#thi>.

5. Submit a compliance extension plan before October 15, 2002.

This is not difficult and can be done online. Covered entities (e.g. health plans, therapists who bill electronically) will be required to comply with the Standards for Electronic Transmissions. The compliance date is October 16, 2002 unless you file an extension. For information on submitting a compliance extension plan go to <http://www.cms.hhs.gov/hipaa/hipaa2/ascaform.asp>. For further information on the Status of HIPAA Regulations and an updated Compliance Calendar go to <http://www.hipaadvisory.com/regs/compliancecal.htm#top>.

6. Put business associate agreements in place now.

If there are services you contract out (e.g. billing, courier services, file storing entities, professional legal services, transcription and/or copy services, janitorial services) find out what they are doing about HIPAA compliance. For information about business associate agreements between you and those entities go to <http://www.nchica.org/HIPAA/sampleddocuments.asp>. Click "Agree" on the HIPAA sample document disclaimer for access to their sample documents. Select

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‘Business Associate Agreement (Contract)’ to download as an MS Word document. There are various sample documents you can download or copy.

7. **Review your consent forms for compliance with HIPAA regulations.**

See sample forms at <http://hpc.state.nm.us/hipaaap/deskreference.pdf>.

8. **Meet with people in your organization** who are involved in managing information both technically and non-technically. Include as many people as you can with different job functions and responsibilities so that everyone feels it is a team effort. People will be more likely to comply and invest if they feel their ideas and active participation is needed in order to accomplish the implementation of HIPAA compliance. Find local groups working on HIPAA compliance as they may already have developed tools to help you identify gaps, develop policies, procedures and practices. In New Mexico, the local group working on HIPAA issues is the New Mexico Coalition for Healthcare Information Leadership Initiatives (NM CHILI). See their web site at www.healthlinknm.org/nmchili.

9. **Do a privacy and security walk through of your facility.**

For an example of a preliminary privacy and security audit see WEDI – SNIP Appendix I: Model HIPAA Privacy And Security Audit For Small Practices, pp.16-20 on the PDF file: http://snip.wedi.org/public/articles/2002_0510_1.2.pdf. Try to identify all the possible ways an unauthorized individual might gain access to paper and electronic confidential health information (e.g. client sign in sheet, client access to unauthorized areas). Review the list and describe how each non-compliant area will be addressed. In recording how you will address those gaps, include actions to be taken, target date of completion, person responsible for completing the task(s), and the resources it will take to comply.

10. **Develop and implement a staff training plan.**

Plan how all persons in your organization will be trained on HIPAA and how to show evidence of the training. Document large and small things you have done to comply with HIPAA regulations and include HIPAA issues as a regular part of your staff meeting agenda.

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References and Resources

Government Web Sites

- The U. S. Department of Health and Human Services (DHHS) web site has information on HIPAA Overview and Updates, Compliance, Toolkits and Checklists, and a Frequently Asked Questions section among other things. Access their web site by going to: <http://www.hrsa.gov/website.htm>.
- For more specific information on **Administrative Simplification** go to: <http://aspe.hhs.gov/admsimp/Index.htm>; DHHS also has a website which displays questions submitted by the public regarding HIPAA and organized by topic. Go to <http://aspe.hhs.gov/admsimp/qdate01.htm>.
- The Center for Medicare and Medicaid Services provides you with information on HIPAA and divides it into two main sections: **HIPAA Insurance Reform** and **HIPAA Administrative Simplification** for their web site go to: <http://www.cms.hhs.gov/hipaa/>.
- HCFA makes available further information in understanding HIPAA. Go to <http://www.hcfa.gov/medicaid/hipaa/content/more.asp>

Professional Associations: Resources and Sample Documents

- An Overview of HIPAA Administrative Simplification can also be accessed in the Practice Update from the National Association of Social Workers (Volume 2, Number 3, January 1001)[Online] Available at the following web site: <http://www.naswdc.org/practice/update/mbh0203.htm>
- For information and various resources on HIPAA Privacy Regulations go to: <http://www.naswdc.org/practice/update/mbh0101.htm>
- For information on Consent, Authorization, and Notice under HIPAA Regulations see <http://www.naswdc.org/practice/update/mbh0201.htm>
- The American Health Information Management Association includes a sample of a Consent Agreement for the Use and Disclosure of Health Information for Treatment, Payment, or Healthcare Operations. For further information go to: <http://www.ahima.org/journal/pb/01.05.2.htm>

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Implementation Tools and More Sample Documents

- The Workgroup for Electronics Data Interchange (WEDI) – Strategic National Implementation Process (SNIP) has created various draft form public documents/articles for the purpose of educating and increasing public awareness. WEDI –SNIP update their information as changes occur. One of these documents or white papers provides information for small practice implementation on HIPAA, which is also available to download free. For further information on “Security and Privacy White Papers” go to: <http://snip.wedi.org/public/articles/index.cfm?Cat=17>. Other workgroup products include “Transaction White Papers” which can be found at <http://snip.wedi.org/public/articles/index.cfm?Cat=15>
- For other sample documents and templates on HIPAA implementation go to the North Carolina Healthcare Information and Communication Alliance, Inc. <http://www.nchica.org/HIPAA/sampledocuments.asp> or <http://dirm.state.nc.us/hipaa/hipaa2002/toolsandtemplates/toolsandtemplates.html#thi>
- Phoenix Health Systems has a very useful Compliance Calendar on the Status of HIPAA Regulations updated May 2002 and a HIPAA primer in plain language. For this information go to <http://www.hipaadvisory.com/regs/compliancecal.htm#top> and specifically for the HIPAA primer to: <http://www.hipaadvisory.com/regs/HIPAAprimer1.htm>
- Computer Based Patient Record Institute (CPRI) has a free toolkit called CPRI Toolkit: Managing Information Security in Health Care, Version 3 which can be downloaded in its entirety or selective sections as PDF file(s). Lots of information including samples of policies, procedures, and practices regarding information security. Go to <http://www.cpri-ost.org/resource/toolkit/toolkit.htm> for information and to <http://www.cpri-host.org/toolkit/toc.html> for the toolkit.

CODE SETS Web Sites

- ICD-9-CM (International Classification of Diseases, 9th Edition, Clinical Modification, Volumes 1 & 2) Go to: <http://www.cdc.gov/nchs/about/otheract/icd9/abtcd9.htm>
- <http://www.mcis.duke.edu/standards/termcode/icd9/1tabular.html> For information on new billing codes and psychologists go to: http://www.apa.org/practice/cpt_2002.html

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