

## **December Inservice 2021 – HIPPA, Privacy, and Client Rights**

This month's in-service is on HIPPA, privacy, and a quick review of some of our business practices and policies and procedures. Don't fall asleep yet – I promise to keep it light and easy.

So, let's start at the beginning:

Everyone has heard about HIPPA and privacy for years. There's a lot of it that applies to what we do in the office, but this in-service is about you as the caregiver in the home, so I won't weigh you down with all the other stuff. We're going to focus on you being in the clients' homes, the app on your phone, and you as an employee.

This statement is from the official government page on HIPPA. Please read it – once you get through it, I promise this is the hardest part of the in-service.

The HIPAA Privacy Rule establishes national standards to protect individuals' medical records and other individually identifiable health information (collectively defined as "protected health information") and applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically. The Rule requires appropriate safeguards to protect the privacy of protected health information and sets limits and conditions on the uses and disclosures that may be made of such information without an individual's authorization. The Rule also gives individuals rights over their protected health information, including rights to examine and obtain a copy of their health records, to direct a covered entity to transmit to a third party an electronic copy of their protected health information in an electronic health record, and to request corrections.

<https://www.hhs.gov/hipaa/for-professionals/privacy/index.html>

So, the Privacy Rule protects what is called "PHI" or Protected Health Information. PHI can be in electronic, paper, or verbal form. It covers us as a business and you as an employee of that business. The most common form of PHI includes things that help people identify who we are talking about, so things like:

- Name
- Address
- Birth date
- Social Security number (or Medicaid number)
- The individual's past, present, or future physical or mental health or condition
- The provision of health care to the individual (what you wrote at the bottom of your progress note about the client and the tasks you performed)
- The past, present, or future payment for the provision of health care to the individual (don't read your client's mail if it's sitting around and discover payment amounts or past due amounts).

So, let's look at this list again as it applies to you:

- You need to protect your progress notes. Only remove them from the home to bring to the office and NEVER leave them exposed so they can be read.
- Keep the use of the app on your phone protected
- Guard the Client's in-home binder if we have asked you to take it to the client's home. Take it straight to the client's home. Do NOT leave it in your car or take it into your house.
- Be careful in using the client's name at home, in front of other people, or describing where they live to someone
- Do NOT be involved in finances or passwords. Encourage them to get help from a family member if they ask for help.

How do we keep PHI private and confidential?

- Protect and be responsible with your progress notes and other paperwork
- Keep your phone locked so no one can access our Caregiver+ app
- Don't talk about your clients in front of other clients or with your family or friends.
- Use the clients' initials when texting the office with questions

How do we secure PHI when using our cell phones?

- Use a password/passcode or other user authentication to lock and unlock your phone like thumbprints or face recognition
- Have a way to wipe your phone if it gets stolen
- Maintain physical control. Know where your phone is at all times and who is using it. Make sure our Caregiver + app is closed and secure before handing your phone to someone to use
- Completely wipe your phone's storage and memory back to factory settings before giving it away or selling it

This information came from The Center for Medicare and Medicaid Services' website:

[.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/HIPAAPrivacyandSecurity.pdf](https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/HIPAAPrivacyandSecurity.pdf)

## DECEMBER 2021 HIPPA AND PRIVACY IN-SERVICE QUIZ

1. The HIPAA Privacy Rule establishes national standards to protect individuals' medical records and other individually identifiable health information (PHI).
  - A. TRUE
  - B. FALSE
  
2. HIPPA contains guidelines on what we can do and how we handle protected health information.
  - A. TRUE
  - B. FALSE
  
3. Protected Health Information (PHI) can be found in:
  - A. electronic form (like in our Caregiver + app)
  - B. paper form (like our progress notes and the client binder)
  - C. verbal form (like not talking about our clients in front of other people)
  - D. all of the above
  
4. Protected Health Information (PHI) is identifying information.
  - A. TRUE
  - B. FALSE
  
5. Protected Health Information (PHI) includes things like:
  - A. Name and Address
  - B. Birthdate and Social Security or Medicaid Numbers
  - C. The person's condition, what services they get, and how those services are paid for.
  - D. All of the above
  
6. I am responsible for protecting my progress notes, the client's binder and other paperwork I have contact with, keep my phone protected, and watch what I say about my clients.
  - A. TRUE
  - B. FALSE
  
7. It is a HIPPA violation to use my clients' names or talk about their health concerns in front of my other clients.
  - A. TRUE
  - B. FALSE

8. I am also responsible for protecting my clients' PHI that may be on my phone like in the Caregiver+ app and in my text messages with the office.
  - A. TRUE
  - B. FALSE
  
9. I can protect my clients' PHI on my phone by:
  - A. Using passwords, passcodes, or other ways to lock and unlock my phone
  - B. Always knowing where my phone is and who has it and what they are doing on it
  - C. Closing the Caregiver+ app before I put my phone down and wiping my old phone's memory when I get a new phone.
  - D. All of the above
  
10. I have completed all in-services for 2021.
  - A. TRUE
  - B. FALSE