

COMPLIANCE CONNECTION

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*Compliance means
“doing the right
thing.”*

*“Ethics is knowing the
difference between
what you have a right
to do; and what is right
to do.”*

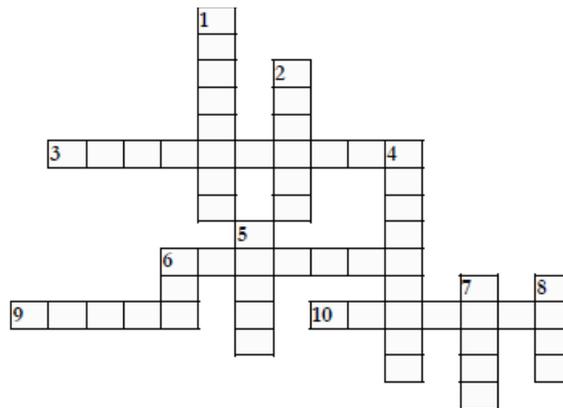
*U.S. Supreme Court
Justice Potter Stewart*

HIPAA Rewind

Many of us have known about HIPAA since it began well over 20 years ago. HIPAA and the Privacy Rule mandates how we use and disclose PHI (protected health information). We have learned the electronic use of PHI (called e-PHI) also has standards for use and must be encrypted; PHI cannot

be sent via text. The message is our clients deserve and are entitled to privacy of their PHI. We now know that when access, use or disclosure occurs that is not permitted by the Privacy Rule it also has a term — called a Breach. Additionally workforce must take compliance training annually. Use

the hotline to anonymously report suspected misuse or unethical behavior. Meanwhile—test your knowledge and complete the Crossword puzzle. The solution is on the back of this publication but don’t peek—how well did you do? (Hint: The clues are in this Newsletter!)



Across

- 3. Means doing the right thing
- 6. Per HIPAA our clients are entitled to
- 9. Electronic protected health information
- 10. Where you can anonymously report

Down

- 1. When workforce needs to complete training
- 2. When access, use or disclosure of PHI occurs that is not permitted by the Privacy Rule
- 4. All electronic devices should be
- 5. Is an animal – not a compliance acronym
- 6. Protected Health Information
- 7. Health Insurance Portability and Accountability Act
- 8. We should not share PHI this way

COMPLIANCE AND ETHICS—WHAT’S THE DIFFERENCE?

When you think about compliance most people think of it as simply “doing the right thing.” And it is.

Compliance consists of policies, rules, laws and other regulatory requirements. We look to these standards to tell us what we must do to ensure com-



pliance in our agencies and in how we do business. Ethics help shape

the way we live, what we do, and choices we make between right and wrong; in other words - “the right thing.”

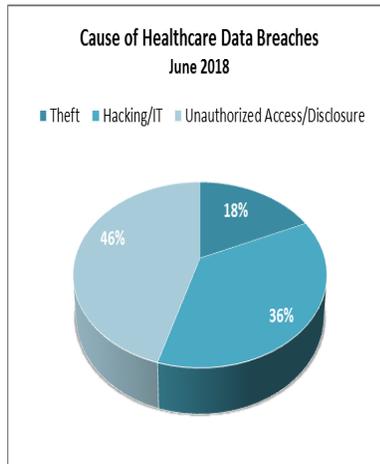
So what’s the difference between compliance and ethics?

Justice Potter said it best, *“Ethics is knowing the difference between what you have a right to do; and what is right to do.”*

NEWS YOU CAN USE . . .

HEALTHCARE DATA BREACHES TO OCR, JUNE 2018

Reports to the Office of Civil Rights (OCR) continue to demonstrate **unauthorized access/disclosures** as the greatest cause of data breaches in healthcare. An unauthorized access/disclosure means PHI (protected health information) failed to meet the requirements of the Privacy Rule; we didn't have permission to disclose it or it was accessed inappropriately. Another 36% was attributed to hacking/IT incidents. Access to electronic systems occurred (most often) through phishing. The remaining 18% was related to theft of electronic devices and paper records. The largest breach was reported by Med Associates, a revenue claims provider of services to healthcare organizations. A



computer used by one of the company's employees was hacked and accessed remotely by an unauthorized individual. The device contained the PHI of

276,057 individuals. HealthEquity Inc., Black River Medical Center, and InfuSystem Inc., all experienced phishing attacks that resulted in unauthorized individuals gaining access to email accounts containing ePHI (electronic PHI). We must be diligent in our use and disclosure of PHI. Don't access it if you don't need it to do your job (Minimum Necessary Rule); don't use it or share it if you don't have permission (Unauthorized Access) and don't send PHI through unencrypted devices, email or text messages. Don't get caught in a phishing expedition – if it seems suspicious to you – check with IT before you open or respond to it!

Please remember to use the Shredding Bin for confidential information!



“If you cannot do great things, do small things in a great way.”

CONSUMERS RATE PATIENT PRIVACY AS A TOP CONCERN

A recent survey asked 1000 consumers between 18 and above what they viewed as an important aspect of their healthcare. Not surprisingly, cost was a concern. How their providers talked with them was also a concern—consumers want their providers to talk to them in plain language. The survey showed that consumers also felt holistic health, physical and mental health was important; they

desire more resources for overall wellbeing. But when asked what their concerns were about their health information **80% rated patient privacy as very important. 76% rated data security as very important.**

data security and patient privacy can too easily be (accidentally) compromised. Be sure you are only using secure encrypted platforms to communicate PHI; pause and think twice before clicking the send button.

What does this mean for us?

In this day and age of electronic information, social media and text messaging,

Our clients depend on us to keep their data secure and their information private and confidential.

Answers to Crossword:

- Across:
3. compliance
 6. privacy
 9. e-phi
 10. hotline
- Down:
1. annually
 2. breach
 4. encrypted
 5. hippo
 6. PHI
 7. H IPAA
 8. Text

REFERENCES

- <https://www.hhs.gov>
<https://hipaajournal>
<https://aetna-health-ambitions-survey>

Quote: Napoleon Hill

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Do you have a topic of particular interest you would like to know more about? If so, please contact me (above) or send an email to elizabeth.taylor@ct.gov

**To report anonymously:
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