

HIPAA

1. Definitions:

- a. HIPAA- The Health Information Portability and Accountability Act:
 - described as the “privacy rule”
 - involves using the minimum necessary amount of information for the delivery of services
 - disclosure of information
- b. PHI- Personal Health Information:
 - Name
 - Birth date
 - Address
 - Contact Information
 - Diagnosis
 - Treatment
 - Prognosis
 - Medical Assistance Number or Social Security Number
- c. De-identification:
 - Client number instead of PHI
 - First name only or initials instead of first and last
- d. Privacy Personnel:
 - Privacy Officer: Joe Lindemon is the workforce member responsible for developing and implementing Endless Options privacy policies and procedures
 - Privacy Office: To file a complaint please e-mail or call Endless Options headquarters, as the office staff are all trained to take complaints
 - If you file a complaint, Endless Options will not retaliate against you in any way

2. Technician Responsibilities:

- a. Timesheets and Data:
 - Technicians may only use data and timesheets that use the client identification number and/or first name only
 - No timesheets with personal health information will be accepted
 - Data should refer to the client by first name only or by initials
- b. In-Home Binders:
 - Binders and all documents within must remain in the work environment (the home) at all times
 - The one exception is removing de-identified timesheets and data for faxing to the office as proof of time worked
 - Any information with PHI needs to be left in the binder for pick-up by the Family Trainer
- c. Community Interaction:
 - Practice the use of the minimum necessary disclosure

- Clients and their personal representatives (often parents) will have the right to object to any disclosure about the child to community members who may come up to you in public
- d. Technician personal disclosure:
 - At no time will you provide details that involve PHI to any person or organization who doesn't work for Endless Options, unless your supervisor, family trainer or the Endless Options program manager have obtained consent to disclose to this individual or organization
 - Videotaping and photography may only occur with the informed written consent of the clients' parents and should never be posted online without parents permission

3. Consequences/Sanctions for HIPAA Violations:

- a. Harmful Effects caused by disclosure:
 - Endless Options must determine and report any harmful effects caused by a technicians disclosure of PHI
 - Examples of harmful effects-stolen social security number, stolen MA number, ridicule, etc.
- b. Endless Options Sanctions:
 - Verbal and Written warnings, loss of wages and/or termination
- c. State and Federal Sanctions:
 - Loss of funds, refund of payments, and detrimental effects to the Maryland Autism Waiver

4. Signature of HIPAA Confidentiality and Non-Disclosure Agreements:

- a. Questions/Comments/Concerns
- b. Signature means that you will not knowingly disclose PHI and will make every effort to minimize disclosure by following Endless Options policies and procedures as outlined within the training and written manual.