What you need to know about HIPAA



Brian Hellman

f you have been keeping up with the news lately, you probably have seen the reports regarding security data breaches, identity theft, and the benefits of staying proactive when dealing with these issues. Unfortunately, it's not a subject we like to think about or discuss, but the reality is that it does happen often, and it hits closer to home than we would like to admit. I would venture to guess that each person reading this article can name someone who has been affected by either subject.

So where are we going with this? I would like to talk about the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. As a health th Benefit Plan always has taken care

insurer, the NALC Health Benefit Plan always has taken care to protect our member's protected health information (PHI).

On April 14, 2003, the HIPAA Privacy Rule became effective. Under the Privacy Rule, we have adopted a notice of privacy practices. Our notice of privacy practices explains how we are allowed to use/or disclose your protected health information. We must have your authorization to use or disclose your PHI for a purpose other than to carry out treatment, payment, or health care operations; or uses permitted in our notice, unless there is an emergency situation or you are incapacitated. benefits payments on the completion of this form.

If you are a health benefit representative (HBR) and you have an enrollee (or several) in your branch who wants you to contact the Plan on his/her behalf to ask specific questions about claims, claim check status or detailed health information, that enrollee must fill out a Personal Representative Authorization form naming you, the HBR, as their representative.

We can and will continue to release limited claim status information only to an enrollee's spouse enrolled on the policy. We will disclose only whether a claim has been paid and, if so, on what date and in what amount. We cannot disclose any further information, such as the diagnosis or the reason for treatment without an authorization.

Members with adult children (a person generally is considered an adult at age 18) on their policy should also be reminded that under the Privacy Rule, the Plan can disclose only claim status to the natural parents of the adult child as well. For the natural parents to access a more detailed PHI, such as diagnosis and treatment of the adult child, the child must complete a Personal Representative Authorization form naming the parents as his or her personal representative.

Copies of the HIPAA Personal Representative Authorization form may be obtained by calling the Plan to request copies, or by downloading them off the NALC HBP website at nalc.org/depart/hbp. In addition, our Customer Service Department at the Plan is available to assist our members in completing these forms and by answering any questions related to the Privacy Rule. An example of the form can be seen below.

If you anticipate a need to have someone assist you with your health insurance claims or questions, you must complete and return the HIPAA Privacy Rule Personal Representative Authorization form. This form allows the Plan to disclose your protected health information (PHI) to a person who will act as your personal representative.

The information covered by the authorization is protected health information, including identification of treating providers of care, diagnosis, procedures, and personal information such as date of birth and mailing address. However, please note that this authorization does not give your personal representative authority, either implied or direct, over any treatment or direct care decisions. Also, we will not condition enrollment, eligibility for benefits or

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