

Protected health information



**James W.
“Jim” Yates**

The United States Letter Carriers Mutual Benefit Association (MBA) offers annuities, life and hospital confinement products designed exclusively for letter carriers and their families. MBA is a covered entity within the description of the Health Insurance Portability and Accountability Act of 1996, commonly known as HIPAA. Under HIPAA, MBA is legally required to provide all participants with notice of our legal duties and privacy practices with respect to protected health information (PHI).

PHI includes any individually identifiable information that relates to a member’s physical or mental health, health care received or payment for health care—including the member’s

name, address, date of birth and Social Security number.

The notice of privacy practices describes how medical information about a member may be used and disclosed and how the member can get access to this personal information.

The MBA is considered a “hybrid entity” because not all of the benefits offered by the MBA are covered by HIPAA privacy protections. Currently, the only plan offered by the MBA that is subject to HIPAA is the Hospital Plus plan.

However, the MBA is legally required to maintain the privacy of a member’s PHI. The primary purpose of our privacy practices notice is to describe the legally permitted uses and disclosures of PHI, some of which may not apply to the MBA in practice. The notice also describes a member’s right to access and control PHI.

Permitted uses and disclosures

We use and may disclose a member’s PHI under certain circumstances. Generally, we will make every effort to disclose only the minimum necessary amount of PHI to achieve the purpose of:

- **Treatment**—This means the provision, coordination or management of health care. While we do not provide treatment, we may use or disclose PHI to support the provision, coordination or management of care. For example, we may disclose PHI to an individual responsible for coordinating the member’s health care, such as a spouse or adult child.
- **Payment**—This means activities in connection with processing claims for health care. We may need to use or disclose PHI to determine eligibility for coverage, medical necessity and for utilization review activities. For example, we could disclose PHI to physicians engaged by the MBA

for their medical expertise to help us determine eligibility for coverage.

We also may disclose PHI to third parties known as “business associates” who perform various activities for us; in such circumstances, we will have a written contract with the business associate, which requires the business associate to protect the privacy of PHI.

We also may disclose PHI and dependents’ PHI on explanations of benefit forms (more commonly known as EOB forms) and other payment-related correspondence that are sent to the member.

PHI also may be disclosed to the trustees in connection with appeals that are filed following a denial of a benefit claim or a partial payment. In addition, any trustee may receive PHI if a member requests that that trustee assist in filing or perfecting a claim for benefits under the MBA’s Hospital Plus plan. Trustees also may receive PHI if necessary for them to fulfill their fiduciary duties with respect to the MBA. Such disclosures will be the minimum necessary to achieve the purpose of the use or disclosure. Such trustees must agree not to use or disclose PHI other than as permitted in this notice or as required by law, not to use or disclose the PHI with respect to any employment related actions or decisions, and not to use or disclose PHI with respect to any other benefit plan maintained by the trustees.

We may disclose PHI to anyone a member may authorize. Contact the MBA to obtain a copy of the appropriate form to authorize the people who may receive this information.

We may disclose PHI to your personal representative in accordance with applicable state law or the HIPAA Privacy Rule. A personal representative is someone authorized by court order, by power of attorney, or the parent of a child (in most cases). In addition, a personal representative can exercise your personal rights with respect to PHI.

We may use or disclose a member’s PHI to the extent that we are required to do so by federal, state or local law. The member will be notified, if required by law, of any such uses.

In addition to not disclosing PHI, the MBA is bound not to disclose any personal private information about a member without written consent from that member.

To see the entire notice of privacy practices, please visit nalc.org/mba and click on “Privacy Policies.”

For information regarding any of the MBA products, please call the MBA office toll-free at 800-424-5184, Tuesdays and Thursdays, 8 a.m. to 3:30 p.m., or call 202-638-4318, Monday through Friday, 8 a.m. to 3:30 p.m. Eastern time. You also can visit our website at nalc.org/mba.

Currently, due to the COVID-19 pandemic, the MBA phone lines are open only on Tuesdays and Thursdays from 8 a.m. to 3:30 p.m. Eastern time.