

June 2010 Edition

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“HIPAA” – Health Insurance Portability and Accountability Act

Most of us are familiar with **HIPAA** – Health Insurance Portability and Accountability Act”, a federal law which was passed in 1996. Are you also familiar with the **HITECH Act** – “Health Information Technology for Economic and Clinical Health”? This ACT was enacted on February 17, 2009. Whether you are an *owner, employee, or a business associate* of a healthcare organization you are subject to civil and/or criminal penalties if you violate HIPAA laws. For a high level overview of the HIPAA law and the HITECH Act please [click here](#).



When receiving routine health services we are continually reminded of our rights. How many of us truly understand the laws and the impact they can have upon your personal life or your organization if there is a violation? Let's face it, hundreds or thousands have access to your personal health records on a regular basis. Are you really protected? Are your patients receiving the same protection you deserve? A HIPAA violation can cause and untoward effect on an individual's emotional and financial well-being. **There are both civil and criminal penalties imposed upon those who commit a violation.**

HIPAA ...continued

Could this happen to you?

The size of your organization does not matter when it comes to HIPAA and the HITECH ACT. All covered entities (health care providers, health plans, clearinghouses, and business associates must abide by all the policies under these laws.

In order to ensure that both you and your organization are HIPAA complaint please consider the following:

1. Did you receive HIPAA training upon start of employment at your present workplace?
2. Have you received on-going training a minimum of one timer per year?
3. Does your organization have a security officer?
4. Does your organization have policies and procedures to include:
 - a. A sanction policy – a statement of progressive discipline ranging from verbal warning, verbal reprimand, denial of access privileges, and suspension from employment to termination
5. Do you have access to the policies and procedures?

If you think a violation is something that will never happen please consider the scenarios in which employees **lost their jobs** and a major health insurance provider was sued due HIPAA violations

Scenario 1: In Texas 16 hospital employees lost their jobs because they accessed confidential patient information on a fellow employee who was hospitalized after suffering life threatening injuries sustained during an armed robbery. Although they may have accessed the information out of concern for a fellow employee this was clearly a HIPAA violation.

Scenario 2: In Mississippi a hospital administrative assistant was forced to resign because a tweet she sent to the Governor violated HIPAA. No real patient information was shared, however the employee referenced a check-up the governor had at the hospital.

Scenario 3: Health Net was sued due to the disappearance of a hard drive which contained identifiable medical records and social security numbers. A lawsuit was filed January 13 with the United States District Court of Connecticut. The company has since made a decision to provide two years of free credit monitoring services and 1 million of identity theft coverage for impacted members who select this service. (Attorneys were given authority to prosecute HIPAA privacy and security violations as a result of the HITECH Act.)

Now you can ask yourself this question. Could any of these violations happen to you or your organization if you are not properly prepared and protected? The answer is **absolutely**.

How well do you know your Reimbursement Partners?

Behind the Curtain: Introducing Agnes Tarara

Agnes joined the ARL team in August 2009 as a Reimbursement Coordinator. Her performance on the collections team reveals her attention to detail and her vast experience in investigative techniques.

She is an RHIA (Registered Health Information Administrator) and received a degree in Health Information Management from Northeastern University. She has a passion for data analysis and has utilized her skills throughout her career which includes such home infusion companies as NMC Homecare and Critical Care Systems. She also was responsible for collecting, coding and analyzing data for Brigham and Women's Hospital in the Cancer Registry department.



Agnes' remarkable attitude and commendable work ethic became evident when she had to take a sudden medical leave within one month of her employment at ARL. She was diagnosed with brain cancer in September 2009. To our amazement she returned to work in April 2010 with a bright smile on her face and wearing her high heels ("I wanted to continue to be me"). Her father was her role model and mentor and his cancer diagnosis was a life changing event. At the age of

75, he is still working 8 hours day, 3 days a week at a corrections facility. When asked about how she managed through these challenging medical situations she replied “there’s always something worse that can happen”.

Agnes enjoys spending time with her husband Steve and her 9 year old daughter, Antoinette. She also enjoys making jewelry, baking and reading Russian and Egyptian history. Her dream is to travel someday to Russian.

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Quote of the Month

FEAR is “False Evidence Appearing Real.”

– Unknown

Tip of the Month

PECOS Requirement for Residents

If your organization is part of a medical facility please be aware of the following PECOS requirement effective July 6, 2010

- *Residents who orders services for Medicare beneficiaries must obtain an NPI number and it must be entered on all Medicare claims for payment*
- *Residents will be dis-enrolled after 12months if they do not submit bills to Medicare during that period*

Keeping you “In the Loop”: An Update from Mediware’s Monthly Newsletter



As part of our integration activities, we want to keep you *In the Loop* on the activities of our peers and colleagues at Mediware. Email Laura Booth (laura.booth@mediware.com) if you would like to be put on the distribution list.

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