

## **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996** **(HIPAA)**

### **HIPAA**

- Federal Law – Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- Purpose – Health Insurance Reform
- Provides portability for employees and their families when they change or lose their job
- Provides security and privacy for health data
- Provides criminal and civil penalties for violations

### **COMPLIANCE**

- To the extent required by law, the Hernando County School District will comply with HIPAA

### **PRIVACY – PROTECTED HEALTH INFORMATION (PHI)**

- PHI is confidential health information that contains student or employee “identifiers” in any form: electronic, paper-based or oral.
- Individually Identifiable Health Information (IIHI) is information about the physical or mental health of an individual that identifies or can reasonably identify the individual, i.e. name, social security number, date of birth, etc.
- PHI shall not be shared or discussed with persons not having appropriate authority to receive confidential information either at work or away from work.
- Employee records and information that include PHI are confidential.
- Student records and information that include PHI are confidential.
- Student records and information are confidential and are covered the federal Family Educational Rights and Privacy Act (FERPA).
- *When in doubt, don't give out.* Do not discuss or distribute any PHI or confidential student records and information to third parties. Ask your supervisor before making decisions or discuss or disclose sensitive information.

### **EMPLOYEE RIGHTS**

- Notice of privacy practices
- Right to restrict use and disclosure of PHI
- Right to access / Right to inspect and copy your PHI
- Right to amend PHI
- Right to file complaints with the Hernando County School District and/or the Secretary of the Department of Health and Human Services

### **DISCLOSURES AND VIOLATIONS**

- Penalties for disclosure may include fines and imprisonment
- Penalties for noncompliance may include fines
- Violations may result in disciplinary action, up to and including termination of employment. In addition, violations may be prosecuted under state and/or federal law.