



## **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT POLICY**

The Health Insurance Portability and Accountability Act of 1996, as amended, (HIPAA) imposes four major administrative requirements on private and government sponsored health plans: Portability, Nondiscrimination, Fraud and Abuse, and Administrative Simplification. The portability provisions generally required health plans to issue certificates of credible coverage that help individuals transfer to a new health plan without the imposition of pre-existing condition exclusions. The nondiscrimination provision prohibits discrimination in benefits eligibility and premiums based on health status-related factors. The fraud and abuse provision created a national data bank for fraud and abuse information and established new civil and criminal penalties. The administrative simplification provision encouraged the development of a health information system through the establishment of standards and requirements for the electronic transmission of certain health information and applies to healthcare providers that transmit health information electronically.

Since its enactment, HIPAA has been broadened to require the health care industry to adhere to uniform codes and forms when performing specific electronic transactions, established security and privacy standards to better safeguard individual's health care information, and allowed individual's greater access to their own health care information.

Broward County respects the security and privacy of legally-protected health information, and understands the importance of keeping this information confidential and secure. County agencies that perform HIPAA covered electronic transactions and use or disclose "protected health information" (PHI) when providing treatment, arranging for payment, coordinating benefits, or conducting health care operations are called "Covered Programs". The following three County agencies have been identified as Covered Programs and must comply with the HIPAA regulations:

- Broward Addiction Recovery Center Division
- Elderly and Veterans Services Division-Behavioral Health Section
- Human Resources Division, Employee Benefits Section

County agencies that use or disclose PHI in support of one or more of the Covered Programs are called "Support Units." The following ten County agencies or sections have been identified as Support Units and must comply with the HIPAA regulations when using or disclosing PHI on behalf of a Covered Program:

- Enterprise Technology Services Division
- Records, Taxes and Treasury Division
- Facilities Management Division
- The County Auditor's Office
- The County Attorney's Office
- Professional Standards/Human Rights Section
- The Human Services Department, Office of Evaluation and Planning and Office of Administrative Services
- Elderly and Veterans Services Division, Administration Section and Customer Relations Unit

County workforce members of the Covered Programs and Support Units receive extensive HIPAA training. Workforce members who violate HIPAA and/or County HIPAA policies and procedures will be subjected to disciplinary action, up to and including discharge from employment, and may be subjected to federal and state civil and criminal penalties.

For more information about HIPAA, or to report suspected violations, workforce members may contact:

**Professional Standards/Human Rights Section**

115 S. Andrews Avenue, Room 427

Fort Lauderdale, FL 33301

ATTN: HIPAA Privacy Officer

(954) 357-6500

(954) 357-7888 TTY