HIPAA Changes and the Office of Civil Rights New Guidance Memo
COURSE: NCD1868 (WEBINAR)

Date: January 10, 2014  Time: 9:00 – 11:00 am Central Time

Webinar Overview:
The Office of Civil Rights (OCR) released the long awaited final regulations that affect four things; the privacy law, the security law, the HITECH rules and Genetic Information Nondiscrimination Act (GINA). These became effective September 23, 2013. These mean big changes to hospitals. This document was 563 pages long and is referred to as the mega rule. The penalties have increased.

There are many changes to the HITECH law including the new standard that will replace the “harm standard.” Changes have been made for the use and disclosure of medical record information, commonly referred to as protected health information (PHI).

Webinar Objectives:
- Describe that hospitals need to rewrite their Notice of Privacy Practices which is provided to patients
- Recall that hospitals will have to rewrite their policies and procedures to comply with the new HIPAA changes
- Discuss that hospitals will no longer conduct a “harm analysis” to determine if the patient’s medical record information (PHI) has been breached
- Recall that staff should be trained on the new HIPAA requirements
- Describe the four penalties that apply if one violates HIPAA

Webinar Topics:
- Introduction
- OCR Model NPP (Notice of Privacy Practices)
- OCR Business Associate Sample Contract
- Office for Civil Rights and HIPAA
- Topics discussed in Final Rules
- Topics not addressed in the Final Rules
- History
- How to locate a copy of the final rule
- Revised Notice of Privacy Practices
- New penalties and enforcement
- Patient rights to receive an electronic copy of their medical records
  - Exceptions, cost,
  - Access to protected health records
  - HIPAA compliant authorization form
- PHI of deceased patients
  - OCR Guidance
- Revision of hospital policies and procedures
- Staff education
Changes to the Breach Notification Rule
  o Definition of breach
  o No longer to do a “harm analysis”
  o Four objective factors to determine if PHI is compromised
  o Document the risk assessment
  o Exceptions

Marketing, fundraising and the sale of PHI
  o Definitions
  o Exceptions
  o Case managers, care coordination
  o What costs are permitted
  o OCR Guidance on Refill Reminders and Marketing

Immunization records
  o OCR Guidance

GINA Genetic Information Nondiscrimination Act

Relationship to the CMS hospital CoP grievance standard

CMS Hospital Memo on Privacy and Confidentiality

Additional bonus slides will include the following even though it will not be covered in this webinar.

Business Associates and BA Agreements
  o Definition
  o Subcontractors of BA Associates are Subject to HIPAA
  o Hospital will need new BA agreement
  o Many changes

Research

Target Audience: HIPPA Privacy and Security Officers, In-house legal Counsel, Compliance Officer, Risk Management, Senior Leadership, CNO, CMO, Nurses, Nurse Educators, Physicians, Director of HIM, Medical Records Staff, Patient Safety Officer, CFO, Systems Managers, Operational Directors, Hospital Patient Advocate and anyone involved in providing privacy issues with patient under HIPAA and preventing breach of confidentiality

Faculty:

Sue Dill Calloway, R.N., M.S.N, J.D. is a nurse attorney and President of Patient Safety and Healthcare Consulting and Education. She was the past VP of Legal Services at a community hospital in addition to being the Privacy Officer and the Compliance Officer. She worked for over 8 years as the Director of Risk Management and Health Policy for the Ohio Hospital Association. She was also the immediate past director of hospital patient safety and risk management for The Doctors Insurance Company in Columbus area for five years. She does frequent lectures on legal and risk management issues and writes numerous publications.

Ms. Calloway has given many presentations locally and nationally to nurses, physicians and attorneys on medical and legal issues. She has authored numerous articles and over 1000 articles and 100 books, including the 2009 Joint Commission Leadership Standard (HCPro), Nursing and the Law (PESI, 1986 and 1987), Ohio Nursing Law (West Publishing), Nursing Ethics and the Law (PESI, 1986), Legal Issues in Supervising Nurses (PESI, 1988), Medicine Made Easy (PESI, 1992) and The Law for Nurses Who Supervise/Manage Others (PESI, 1993), Legal Issues in Obstetrics (PESI, 1997) and JC Leadership Standards (HCPro, 2004), and the Compliance Guide to the CMS and the Joint Commission Patient Rights Standards (HCPro, 2005), and the 2009 book on the Joint Commission Leadership Standards (HCPro). She often writes
articles called the “CMS Corner” in Briefings on the Joint Commission. Ms Calloway is a 1996 recipient of PESI’s Excellence in Education Award.

Registration:
There is a site fee of $175.00 for NDHA Member Hospitals and $300.00 for Non-members for this course. Member Hospital is referred to as an individual freestanding facility, not a hospital system. The registration fee provides you with one phone number, Web connection and a downloadable handout. Numerous people at one physical site are encouraged to participate in the Web Conference through one registration (utilizing the same telephone/Web connection). If any additional locations or facilities are added into your connection, additional registration fees will be charged. If participants at your site require more than one telephone/Web connection, additional registration fees will be charged.

Prior to the program you will receive an e-mail containing instructions on how to connect to the conference. This e-mail will also contain codes to access the conference call. Advance registration by January 6, 2014 is required to ensure delivery of instructional materials. A late fee of $25.00 will be charged for any registrations after this date. This fee is necessary, as we are being charged a late fee for any last minute registrations that require an overflow line on the bridge. If you do not receive an e-mail from Linda Simmons prior to the program with your handouts and dial-in information, please contact her at 701 224-9732.

Please contact Linda Simmons at 701 224-9732 or lsimmons@ndha.org for further information. You may register by fax (701) 224-9529, online at http://www.ndha.org under Education or by mail PO Box 7340, Bismarck ND 58507.

Registration fees are non-refundable unless notice of an individual’s cancellation is received at NDHA five working days prior to the event, in which case a cancellation fee of $50.00 will be deducted from your registration fee. If notice of cancellation is received after this date, there is no refund. You will be billed whether or not you attend the program.

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 Facility _______________________________________________________________

 Contact Name/Title ____________________________________________________

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