



# HIPAA FREQUENTLY ASKED QUESTIONS (FAQ's)

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## 1. WHAT IS HIPAA?

HIPAA is the Health Insurance Portability & Accountability Act of 1996. HIPAA is federally mandated and helps protect an individual's Protected Health Information (PHI).

## 2. WHAT IS PHI?

PHI is Protected Health Information. PHI pertains to any information about a participant's past, present or future physical or mental health condition or payment for care that identifies or could be used to identify the participant.

## 3. WHAT DOES THE HIPAA PRIVACY RULE DO?

The HIPAA Privacy Rule creates national standards to protect individuals' medical records and other personal health information.

- It gives patients more control over their PHI.
- It sets boundaries on the use and release of health records.
- It establishes appropriate safeguards that health care providers and others must achieve to protect the privacy of health information.
- It holds violators accountable.

## 4. HOW DOES HIPAA AFFECT PATIENTS?

- It enables patients to find out how their information may be used or disclosed.
- It gives patients the right to examine and obtain a copy of their own health records and request corrections.
- It empowers individuals to control certain uses and disclosures of their health information.

## 5. WHAT IS THE NOTICE OF PRIVACY PROCEDURES?

The Notice of Privacy Procedures is required by the Federal Government to be sent to all Participants, Providers, and Business Associates of the Hawaii Laborers' Health & Welfare Trust Fund. The purpose of the Notice of Privacy Procedures is to protect the privacy, use and disclosure of your PHI and also to outline your rights with respect to your health information.

## 6. HOW DOES HIPAA AFFECT THE TRUST FUND'S ABILITY TO COMMUNICATE WITH PARTIES OTHER THAN THE PATIENT (e.g., spouses, guardians, business agents) WITH REGARD TO PAYMENT?

The Privacy Rule does permit us to disclose PHI as necessary to obtain payment for health care. Therefore, we *are* able to communicate with persons other than the patient to obtain "**payment**" for health services. Common payment activities include, but are not limited to: eligibility or coverage under the plan, payment of claims, and billing and collection activities. However, we are required to reasonably limit the amount of information that we disclose to the minimum amount of information that is needed, and to whom the information is given.

In order to disclose any information (other than the common payment activities listed above) to a third party, the Hawaii Laborers' Health and Welfare Trust Fund Office requires that the patient give written authorization to do so. The Authorization for the Use and Disclosure of Individually Identifiable Health Information Form must be filled out completely and received by The Trust Fund Office before the PHI can be released to the designated third party.