

In compliance...

...with HIPAA rules

by the Division of Advocacy and Health Policy

Previously in this series, the College suggested that it would be a good idea to have your practice appoint a privacy officer to oversee all activities that ensure the privacy of the information contained in your patients' records. This month's column focuses on the various tasks for which a privacy officer is likely to be responsible.

Responsibilities to the office

The privacy officer's primary job will be to drive the development and implementation of policies and procedures that comply with the Health Insurance Portability and Accountability Act (HIPAA). This responsibility may involve consulting with your practice's legal counsel to ensure that the policies and tools you use comply with both federal and state privacy laws. The privacy officer will initiate any privacy risk assessments in the practice and perform ongoing compliance activities. This task includes creating and maintaining any forms and patient notices that are legally required.


The privacy officer also will be responsible for establishing protocols for accessing confidential information, which means ensuring that each staff member has access only to the information needed to perform his or her specific job. It also includes determining which staff members need access to specific information, in which format, and creating a process that grants the right to access the specific information. The privacy officer needs to work with all personnel involved with any aspect of release of protected health information to ensure full coordination and cooperation within your practice. The practice also will have to implement a mechanism to track access to confidential health information.

Every practice will have to assemble a policy manual that contains all the privacy and confidentiality policies, forms, and procedures governing the practice. The privacy officer will have to be involved in the maintenance of that manual. HIPAA also requires that every practice conduct privacy policy training for all employees, and the

privacy officer will be responsible for developing those training sessions and documenting that the training has been provided.

Responsibilities to patients

The privacy officer also is responsible for the oversight of patients' access to their medical records. HIPAA provides that patients have the right to inspect and amend the records your practice maintains on your encounters with them. If a patient has a problem with your privacy policies, the privacy officer will need to establish and administer the process to receive, document, track, investigate, and take action on those complaints.

Continuous coordination within your practice and the cooperation of all members of your practice will ensure that your privacy officer is able to establish a secure privacy system that will comply with HIPAA requirements. 

ACS guidance on HIPAA issues is based on information contained in the "Small Practice Implementation Guide" version 1.2 (<http://snip.wedi.org/public/articles/index.cfm?Cat=17>), © 2001, The Workgroup on Electronic Data Interchange.