

HIPAA PRIVACY COMPLIANCE FOR HEALTH PLANS

ACTION ITEM	RESPONSIBLE PARTIES	ESTIMATED COMPLETION DATE	COMPLETION DATE	COMMENTS
I. PRELIMINARY MATTERS				
1. Appoint a Privacy Officer				
2. Organize HIPAA Compliance Committee.				
3. Outline organizational structure and roles of: <ul style="list-style-type: none"> -Employer as Plan Sponsor (how much protected health information will it access) -Third party administrator, if any. -Health Insurance Carrier, if any. 				
4. Identify those employees who need protected health information ("PHI") to perform duties related to administering the health plan.				
II. REVIEW OF HEALTH PLAN PROCEDURES				
1. Determine what functions will be performed by third parties and what functions will be performed by Employer. Examples include: <ul style="list-style-type: none"> - Notice of Privacy Practices -Responding to participant's request for access, amendment, accounting, and restrictions. 				

<p>2. Determine whether Employer originates or maintains any records which are considered PHI covered by HIPAA.</p>				
<p>3. Identify internal uses of PHI with respect to health plan only and determine whether those can continue under HIPAA.</p>				
<p>4. Identify disclosures of information outside of Employer and purpose for each disclosure. Examples include: -Third Party Administrator -Employee/Participant -Attorneys, accountants, etc. Determine whether these disclosures can continue under HIPAA.</p>				
<p>5. Gather all policies and forms utilized in connection with the Plan.</p>				
<p>6. Gather all third party contracts and identify any outside service providers whose services are related to the Plan. Examples include: -Third Party Administrator -Accountants</p>				

<p>7. Conduct security analysis to determine what safeguards to implement to prevent employees/outside from having access to PHI.</p>				
<p>III. NECESSARY FORMS</p>				
<p>1. Draft forms required by the regulations or revise current forms to provide: -Notice of Privacy Practices -Authorization -Business Associate Agreement</p>				
<p>2. Draft recommended forms: -Request for access -Denial of access letter -Request for amendment -Denial of amendment letter -Request for restriction -Denial of restriction letter -Complaint form -Employee training log -Employee confidentiality agreement -Third party confidentiality agreement</p>				
<p>3. For each form, determine where it will be available and who will be implementing (Kness or Third Party Administrator?)</p>				

IV. IMPLEMENTATION DECISIONS				
1. Notice of Privacy Practices				
2. Determine whether the Plan performs any marketing functions and whether these will require authorizations from participants.				
3. Determine which employees require employee training and what training will entail. -Train employees prior to 4/14/03				
4. Determine what contractors are business associates. -Obtain signed business associate agreements prior to 4/14.03.				
5. Determine which state laws are preempted by HIPAA.				
V. HEALTH PLAN POLICIES				
1. Draft new policies or revise current ones regarding uses/disclosures of PHI: -Uses/disclosure for treatment, payment, health care operations. -Uses/disclosure of PHI authorized by law. -Authorizations -Notice of Privacy Practices. -Marketing uses/disclosures -Minimum Necessary -Family members/friends				

<p>2. Draft new policies or revise current ones regarding individual rights provisions: -Accounting for disclosures -Individual access policy -Restriction on uses/disclosures -Amendment of PHI</p>				
<p>3. Draft new policies or revise current ones regarding administrative requirements: -Employee training -Adequate safeguards -Privacy officer/contact person -Employee confidentiality obligations -Refrain from retaliatory acts/requesting waiver of HIPAA rights. -Record retention.</p>				
<p>4. Draft new policies or revise current ones regarding outside entities/individuals: -Business Associates -Third party contractors</p>				
<p>VI. PLAN DOCUMENTS</p>				
<p>1. Amend Plan to include required provisions.</p>				
<p>2. Obtain Plan Sponsor Certification.</p>				