

MINUTES  
HIPAA Exchange  
January 21, 2003  
1:30 to 4:30 PM  
Kettering Center  
140 E. Monument Ave.  
Dayton, Ohio 45402  
937-775-1114

1) Welcome

Attending: Rudy Arnold (MVHIC), Andrea Burkett (UHS), Carrie Craig (CSS), Mary Crimmins (WSU), Cynthia Liming (CMC), Kevin Mellon (Planned Parenthood), Amy Moore (UHS), Bob Mullins (ADAMHS), Allyson Sepp (WSU), Cecelia Smith (WSU), Jennifer Smith (CHD), and Kelly Wibbenmeyer (CMC).

2) Purpose of the meeting: Mary provided a powerpoint presentation concerning the background of HealthLink Miami Valley (HLMV) and the objectives of the meeting. She described the structure of HLMV and explained that the HIPAA exchange was formed as a result of Advisory Council input.

3) Introductions

Agency/ group represented

Covered entity status

Extension filed

Privacy Rule

Policy Development

Areas needing further attention/ information

Resources identified

- Carrie Craig works with Catholic Social Services (CSS). She is not certain if CSS is a covered entity under the Health Insurance Portability and Accountability Act (HIPAA); however they did file for an extension. CSS does not transmit records electronically. She is presently working on developing policy that will comply with the privacy rules, but has found that it is difficult to determine passable language. Carrie inquired if there are templates available to use for policy development.
- Cecelia Smith works with the Alliance for Research in Community Health (ARCH) at Wright State University (WSU). ARCH is not a covered entity.
- Bob Mullins is involved with HIPAA implementation with the Alcohol Drug Addiction and Mental Health Services (ADAMHS) Board. ADAMHS filed their extension as a covered entity. Currently, existing policy is being reviewed.
- Lisa Rindler works with the Greater Dayton Area Hospital Association (GDAHA), which serves as a forum for hospitals to discuss HIPAA concerns. GDAHA itself is not a covered entity.
- Cindy Liming is involved with record security at Children's Medical Center. Children's is a covered entity and did file an extension.

- Kelly Wibbenmeyer is a business analyst with Children’s Medical Center. Children’s is currently trying to get policies approved by management. There has been a great deal of difficulty getting vendors to sign their business agreements.
- Jennifer Smith works with the Combined Health District (CHD). Her organization is a covered entity and an extension was filed. She noted that although confidentiality notices are already standard practice for the CHD, they are revising policies. Currently, consent and disclosure forms have been drafted. They are also working on training staff on the revised policies. The biggest challenge that the CHD has faced is record security. They are presently considering whether or not to use an outside billing service.
- Andrea Burkett is working with Unified Health Solutions (UHS). UHS recently determined that they are a covered entity. Andrea is looking for general information regarding HIPAA. UHS does not transfer data electronically.
- Amy Moore also works with UHS, and is specifically with the prescription assistance program (the component of UHS that is covered by HIPAA).
- Kevin Mellon works with Planned Parenthood of the Miami Valley. His organization is covered and filed for an extension.

#### 4) Common issues

##### Website Presentations:

Bob directed the group to [www.adamhs.co.Montgomery.oh.us](http://www.adamhs.co.Montgomery.oh.us) and explained that there are a number of sample documents available for organizations to use in the development of HIPAA-compliant policies. There is a link on the ADAMHS page to the Ohio Department of Mental Health. The Department of Mental Health has reviewed a number of software packages and has published the list on their website. From the ADAMHS site, select the Ohio Department of Mental Health link, select “Tools”, then “Software Vendors”. Bob emphasized that HIPAA compliance is not the vendor’s problem and cautioned that any vendor claiming their software is HIPAA compliant is inaccurate since HIPAA compliance for software has not been established. Bob also directed the group to [www.hippagives.org](http://www.hippagives.org) for templates for HIPAA documents. HIPAA Gives is available to any government organization. Mary offered to assist members of the group if their agency is not a governmental organization, since WSU is a state organization. Lisa showed the group the various HIPAA websites that GDAHA utilizes. There is a list on the GDAHA website ([www.gdaha.org](http://www.gdaha.org)). There is also a HIPAA business associates overview on the GDAHA website. Lisa encouraged members of the group who are just learning about HIPAA to go to the official HIPAA website: [www.hhs.gov/ocr/hipaa](http://www.hhs.gov/ocr/hipaa). Lisa said hospitals are sharing information via a Listserv. A business agreement has been developed for all of the hospitals to utilize. Lisa named a couple of other HIPAA Listservs—OHA and the American Hospital Association.

GDAHA will also be sponsor a HIPAA seminar at WSU on February 4<sup>th</sup>. Berker and Ackler a law firm from Columbus will be providing much of the information at the meeting.

Jennifer said her organization has not determined the best approach to administering the privacy notice to individuals who cannot read or speak English. Cindy explained that doing a risk assessment will help the CHD determine to what extent they need to provide translated notices or special services. Kelly said that some organizations have created videotapes of a person reading the privacy notice, while other organizations have recorded the notice on a tape cassette. Cecelia agreed that a video would be ideal. There is a concern though that the notice is quite lengthy and

few participants would be willing to sit through the taped recording. Mary suggested playing the tape continuously in the waiting room. HealthLink recently hired a MIS analyst who is fluent in Spanish and has offered to help agencies translate documents into Spanish.

The group shared a common concern that the penalties for not being HIPAA compliant seem quite punitive.

Kevin requested that Mary summarize the HLMV database. Mary explained that portal agencies refer the uninsured to HealthLink. Clients at portal agencies fill out a HLMV questionnaire and if they indicate that they wish to be contacted by a community health advocate, their information is given to an advocate. The advocate contacts the individual to determine what healthcare programs are available for that person and the advocate collects demographic and household information that is entered into a database. In the future, HLMV hopes to receive data directly from area health and human service agencies. Cindy inquired how long this data would be kept in the database. Mary explained that Network Services at WSU School of Medicine has a policy for record destruction, but she is not certain the length of time that elapses before information is destroyed. She offered to report on that during the next meeting.

Lisa informed the group that a blind test has been conducted by area hospitals and the County to determine if the data about uninsured individuals from different organizations can be merged.

The results are not yet available.

Kelly inquired if any other organizations were facing difficulties with business agreements. The general consensus from the group was that they have not gotten that far along in the process of becoming HIPAA compliant. ADAMHS has drafted agreements, but has not sent them to the vendors. From Kelly's experience it is apparent that vendors fear the agreement because it may change the conditions in existing contracts. Businesses that refuse to sign the agreement produced by Children's often send their agreement and request Children's to sign. Presently, Kelly reviews each business agreement that comes from vendors. The agreement is evaluated against a list of 18 required components.

5) Suggestions/ moving forward: the group agreed that another meeting would be beneficial. Carrie requested that organizations bring sample documentation that could serve as templates for other organizations.

6) Information needs: Kelly inquired if any other organizations are finding it difficult to get vendors to sign business agreements. Mary offered to have WSU create a Listserv for this group. Everyone agreed that this would be helpful.

7) Next Meeting: 1:30pm February 18, 2003 at the Kettering Center

8) Adjournment