

Assessing State Systems Readiness: Implications for the Public's Health



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HIPAA Impacts: Medical Care



- ❖ **Employee Benefits Plans**
- ❖ **Private Health Insurance**
- ❖ **Medicaid**
- ❖ **Clinics, Hospitals, Physicians**
- ❖ **Other Licensed providers**

HIPAA Impacts: Social Services



- ❖ Not traditional medical care
- ❖ Health related services must comply
- ❖ Different business models often combine provider and plan roles
 - **Chemical Dependency**
 - **Developmental Disabilities**
 - **Mental Health**
 - **Aging and Adult Services**

HIPAA Impacts: Public Health



- ❖ Fewer legal requirements but business needs will drive compliance
- ❖ Medicaid relationships require compliance
- ❖ Impacts on reporting and data release

HIPAA Impacts: Local



- ❖ **Jails**
- ❖ **Local Health Jurisdictions**
- ❖ **County Clinics**
- ❖ **Area Agency on Aging**
- ❖ **Regional Support Network**
- ❖ **Tribes**

HIPAA: Delivery Models



- ❖ State government sponsors and health plans do business in two distinct ways:
- ❖ The Social Service Model
 - Invoice/Voucher
 - Block grants—Delegation of sponsor/health plan functions to business associates
- ❖ The Medical Model
 - “Fee for service”
 - Managed Care—Delegation of health plan functions
 - Sponsor programs delegate enrollment to CSOs and business associates

Medical Model



- 1. CSO worker enrolls clients into state system**
- 2. Clients are eligible for long periods in programs with many services that can be provided by many providers**
- 3. Clients may frequently change programs or lose eligibility**
- 4. Clients in Managed Care programs select a health plan**
- 5. Clients in Fee-for-Service programs select Medicaid providers**
- 6. Clients may receive any covered service that a provider prescribes**

Medical Model



- 1. Providers inquire about prior authorization and hospital certification because some services must be reviewed for medical necessity before they will be covered**
- 2. Providers send in claims and receive remittance advice**
- 3. Providers post remittance advice against unpaid claims**
- 4. Providers inquire about unpaid claims**
- 5. Providers inquire about eligibility because clients may change Managed Care plans, go on FFS, or lose eligibility**

Social Service Model



- 1. Case managers enroll clients with specific provider for specific services**
- 2. Client may or may not be in the state system**
- 3. Short eligibility span—only until specified services are rendered**
- 4. Providers verify that they provided services on invoice**
- 5. Payment system does not edit or audit**
- 6. Providers do not inquire about eligibility or benefits and do not send claims**

HIPAA Privacy Standards



National standards for privacy of individually identifiable information do two things:

- ❁ Provide individuals with specific new privacy rights
- ❁ Provide new obligations for health care providers, plans, and clearinghouses
- ❁ Emphasize good practice and reasonableness

WA Uniform Health Care Information Act (1991)



- ❖ Identifiable health information in any form
- ❖ Right of access, notification, correction
- ❖ Individual accounting of disclosures
- ❖ Individual authorizations required
- ❖ Privacy notice but no policies
- ❖ Exempt from Individual Authorization:
Health care operations, public health, health oversight, law enforcement, financial, any other uses required by law

Other WA Privacy Laws



- ❖ WA Patient Bill of Rights(2000)
 - Applies to insurers and third party payers
 - Makes insurers subject to provisions of Uniform Health Care Information Act
- ❖ Governors Executive Order on Privacy (2000)
 - Applies to state agencies and contractors
 - Sets similar administrative requirements: policies/procedures, agency contacts

HIPAA Privacy Impacts



- ❖ WA law has many similar privacy provisions
- ❖ HIPAA increases penalties and adds consent requirement
- ❖ HIPAA imposes more internal health info management requirements
- ❖ State EO requires many agencies that are exempt from HIPAA to meet similar administrative requirements
- ❖ Good business practice—provide assurance to public, business partners, and stakeholders

Privacy Policies



- ❖ Employee Handling of Confidential Information
 - Requires agency education and training
 - Requires detailed written policies at all levels
- ❖ Release of Confidential Data/Information
 - Provide guidelines for handling and release
 - Includes data sharing templates for both internal and external release
- ❖ Web Site Consumer Privacy
 - Requires privacy notice on all agency sites

HIPAA Security Standards



National standards for electronic security assure the confidentiality, integrity, and availability of identifiable health information through:

- ❖ Administrative requirements
- ❖ Physical safeguards
- ❖ Technical security services
- ❖ Technical security mechanisms

HIPAA Security Standards



To meet the needs of large and small organizations that vary in their access to and choices of technology, the standards are:

- ❖ Technology neutral
- ❖ Scalable
- ❖ Reasonable
- ❖ Many approaches can meet requirements

Security Impacts



- ❖ HIPAA security requirements are generally just good practice—nothing new
- ❖ WA has set statewide security standards to meet the needs of digital government, which will be implemented in 2003
- ❖ HIPAA draft security requirements very similar to WA digital government security requirements
- ❖ Good business practice—provide assurance to public, business partners, and stakeholders

WA State Approach



- ❁ **Deputy Directors group on HIPAA**
- ❁ **Coordinated attorney general group to release single opinions for the state on HIPAA**
- ❁ **State agencies coordinating on decisions and responses to HIPAA:**
 - Department of Social & Health Services
 - Department of Health
 - Labor & Industries
 - Health Care Authority
 - Department of Corrections
 - Department of Veterans Administration
 - Superintendent of Public Instruction

WA State Approach

- ❖ Coordinate and integrate HIPAA compliance with existing related activities
 - ❖ WA already involved in many similar activities:
 - ❖ Security infrastructure (HAN, bioterrorism) and statewide ISB security standards
 - ❖ National Electronic Disease Surveillance System
 - ❖ Digital government (electronic transmission)
 - ❖ Governor's Executive Order on Privacy
 - ❖ Public health data standards

HIPAA Interagency Committees



❖ Interagency HIPAA Workgroup

- Formed to develop interagency comment to the HIPAA regulations
- Primarily information sharing, education, and discussion group re HIPAA issues and sharing knowledge and solutions across agencies

❖ Interagency HIPAA Privacy Workgroup

- Set up to discuss and work on privacy as a cross-cutting issue for all agencies
- May develop model policies and documents for use across agencies

HIPAA Interagency Committees



❖ Communications TAG

- Formed to promote, develop, and conduct awareness, education and training on HIPAA to state agency stakeholders
- Creates promotional and educational materials, conducts surveys, maintains state HIPAA website, responds to external questions on HIPAA, conducts presentations at state and national meetings and events
- Connects state HIPAA communications efforts with private sector activities

HIPAA Interagency Committees




❖ Information Systems TAG

- Set up to discuss and work on detailed issues, both system and policy, re HIPAA transactions and security
- Develops tools and documents for use across agencies

❖ Policy TAG


- Set up to discuss and work on detailed issues re HIPAA transaction standards and Medicaid system issues
- Develops tools and documents for use across agencies

Web-Based HIPAA Solution: eForms



- ❖ “eForms” or web-based forms give providers an internet workspace to send and receive HIPAA transactions
- ❖ eForms have the “look and feel” of the paper claims that providers use now - the HCFA 1500 for Professional claims and the UB 92 for Institutional claims
- ❖ eForms have “workflow” logic that helps the provider navigate through the process
- ❖ eForms are designed to present only the HIPAA fields and codes that a provider needs to see to do a particular type of transaction
- ❖ eForms allows interface with existing legacy systems without requiring immediate investment to meet HIPAA requirements

Web-Based HIPAA Solution: eForms



- ❖ eForms can run on the provider's PC using a browser
- ❖ eForms have edit capabilities for clean claims and quicker payment
- ❖ eForms can be printed or integrated with the provider's practice management software
- ❖ eForm system architecture reduces the data providers are required to collect and submit for HIPAA transactions - eg Provider Taxonomy

Leveraging HIPAA Solutions

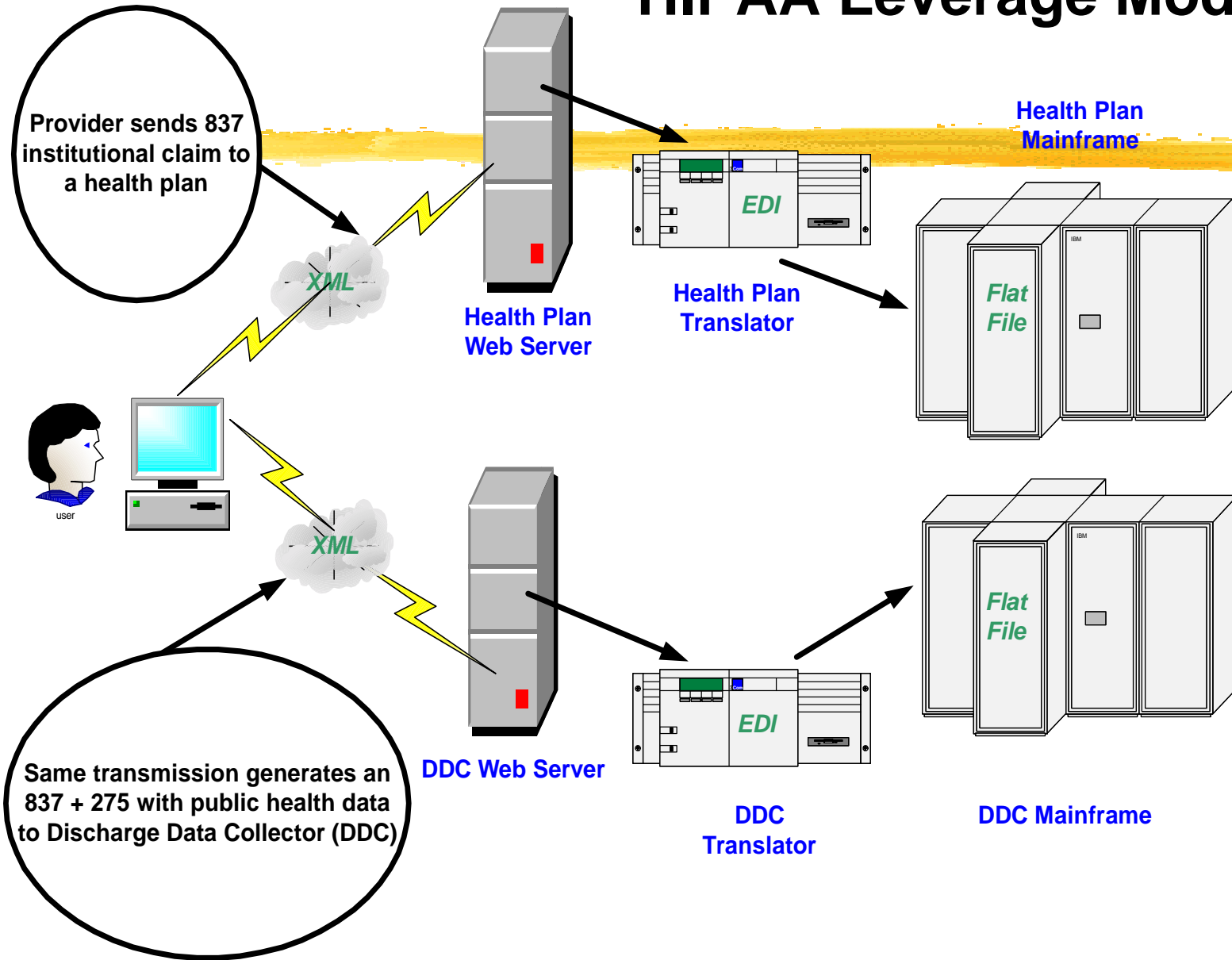
Do Piggyback on:

- ❖ Medicaid MMIS 90/10 FFP
- ❖ MMIS IT Infrastructure
- ❖ HIPAA Transactions & Code Sets in creative ways
- ❖ User Interface
- ❖ HIPAA Training

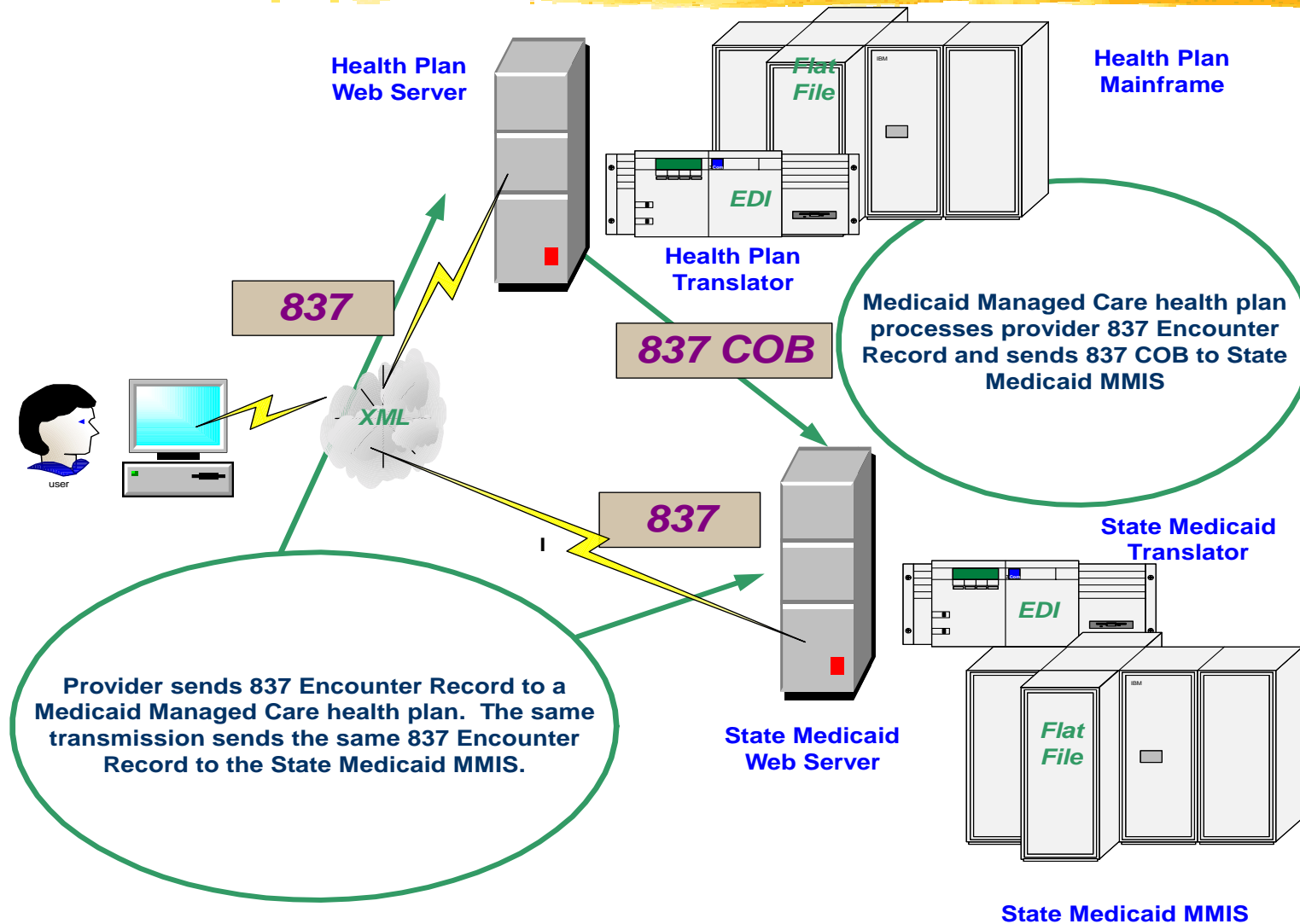
Don't:

- ❖ Spend State funds on projects that could leverage 90/10 FFP
- ❖ Build redundant systems
- ❖ Use non-X12/non-HIPAA Transactions & Code Sets
- ❖ Create different User Interfaces for similar purposes

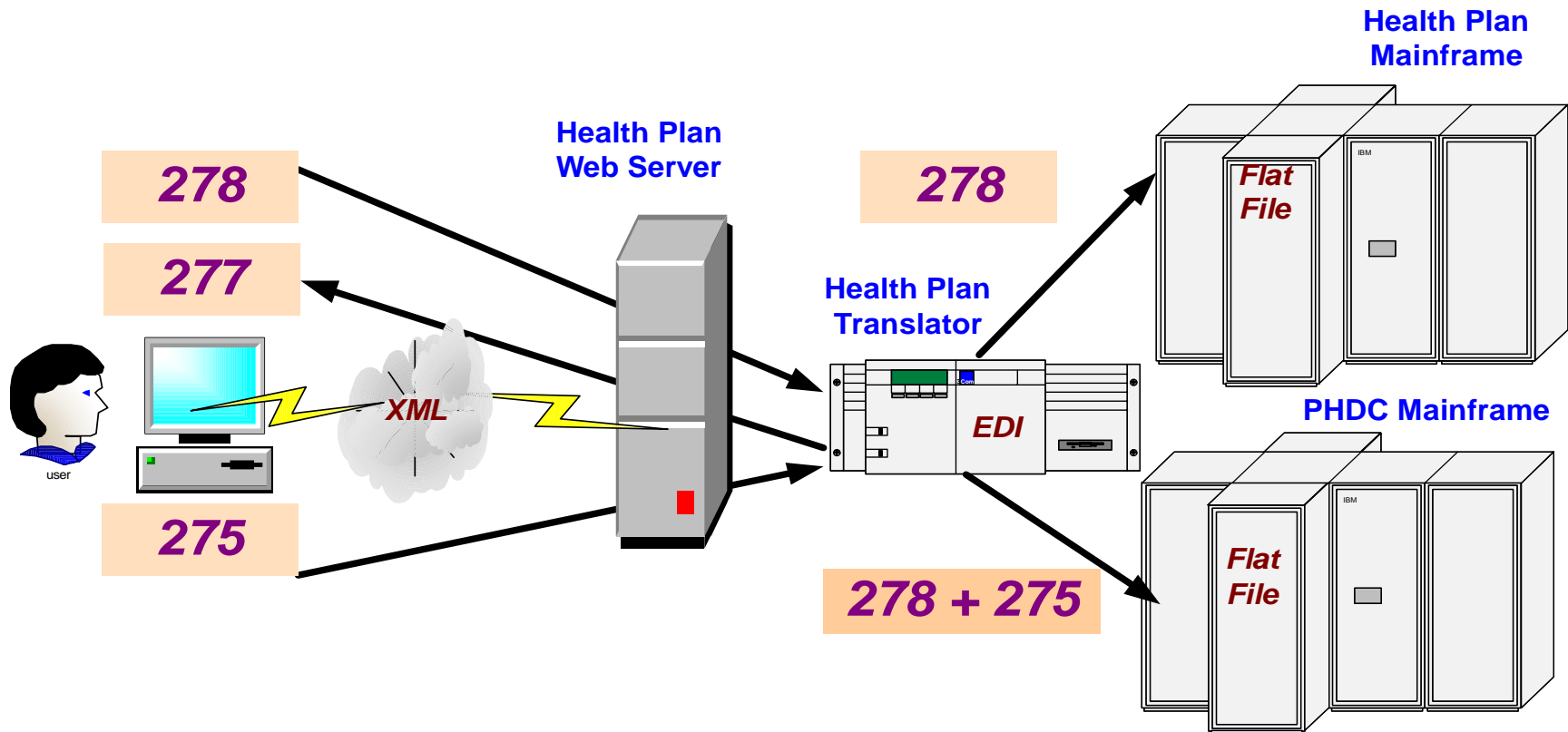
HIPAA Leverage Model 1



Double Reporting of 837 Encounter Records allows State Medicaid to validate data completeness and use the 837 COB to evaluate health care quality and access



When the diagnosis indicates possible notifiable condition, provider sends 278 Prior Authorization to a health plan. Same transmission generates a 278 with public health data to the Public Health Data Collector (PHDC) - The translator editing capabilities can be programmed to indicate, via a 277 to the provider, that additional clinical information is needed, such as lab results, which can be transmitted in a 275



Possible PUBLIC HEALTH use of HIPAA Transactions for pre-billing transmission of NOTIFIABLE CONDITIONS

How to Log into the eform web site

- 1) Register
- 2) Install Acrobat 5 - Delete earlier versions & reboot
- 3) Follow the Script -
 - a) Log on to the eform site with your log on & password
 - b) Log on to the Demo with "Demo" as User ID & "HIPAA" as password

Login Information

User ID = Demo

Password = HIPAA

Choose

General Medical Center as the billing provider

Eligibility Information

DOB = 04/06/1961

Valid Member ID = LM040661MILLEA

NOTE

For the eligibility request you must enter dates of service as well

For the Institutional Claim only
Enter procedure code '684' in form locator 80.

On the consent form click continue.

On the populated claim form change the following information:

Change the DOB to 04/06/1960
Change the sex to M

State Resources



State Privacy Matrix and Documents

<https://wws2.wa.gov/dshs/maa/dshshipaa/privacy.htm>

Washington HIPAA Website:

<https://wws2.wa.gov/dshs/maa/dshshipaa/>

Washington Readiness Training Materials:

<https://wws2.wa.gov/dshs/maa/dshshipaa/seminar101901.htm>

eForms registry and repository (WPC):

www.ehealthconsortium.org

Contact



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Washington HIPAA Website:

<https://www2.wa.gov/dshs/maa/dshshipaa/>