

HIPAA – Health Insurance Portability and Accountability Act of 1996

HIPAA is federal law that pertains to the storage, transmission and privacy of individual Protected Health Information (PHI) learned during the course of providing professional clinical services. PHI includes patient/client name(s) and other information that can personally identify patient information as well as individual information about diagnoses, assessment and treatment. The components of PHI are described below.

Violation of HIPAA is a violation of federal law which can have consequences including: (a) a licensing board declining to grant a person a license, disciplining a license already held, or suspending or terminating a license; (b) subjecting the individual to federal civil and/or criminal proceedings; and/or (c) termination of a person from a training site or termination of employment.

William James College is an educational institution that provides academic course work for master and doctorate degrees in Psychology. William James College students train in field placement sites and many have employment at sites that deal with patient/client records. As a result, William James College students need to fully understand and comply with the “Accountability” sections of HIPAA. William James College will provide information about HIPAA in courses and in William James College-related field sites (such as Brenner Center, Freedman Center, PATHWAYS), and other field placement sites are responsible for training William James College student regarding their own HIPAA compliance policies.

William James College students must assure their compliance with HIPAA when (a) maintaining any PHI electronically (such as on personal laptops or other electronic devices); (b) transmitting PHI by electronic means including emails, fax, Skype; or, (c) writing about or discussing experiences at training sites or elsewhere. Some William James College courses involve discussion of field placement site experiences. Students must comply with HIPAA even when it comes to documenting or conveying information about field site experiences. This includes having conversations with fellow students, friends or family members, or others who do not have a legitimate “need to know” the PHI of individual clients/patients. William James College students must also avoid conversations including PHI which may be overheard by others who have no legitimate need to know PHI such as other students at William James College, trainees or staff in common areas at field placement sites, or persons nearby in public places such as restaurants or public transportation.

A student should **never** save individual patient/client PHI on personal electronic devices or on paper (e.g., notes, journals, so-called “process notes.” William James College should **never** reveal information which may personally identify a client/patient which is learned from field site, employment, or other circumstances in which a student becomes aware of PHI. For example, in Clinical Seminars or other William James College courses, a student should **never** refer to a patient/client by name and should disguise case details to minimize individual identification of individual clients/patients. PHI must never be provided to friends, family members, William James College students, or others with no legitimate need for PHI. William James College students who must keep notes and records (outside of the formal medical record of clients/patients) for training purposes should disguise PHI by using pseudonyms, assigned numbers, or other means of protecting the identity of patients/clients. This also applies to William James College classes and presentations.

HIPAA – Accountability regulations of the Act of 1996 – two parts

Privacy Rule:

The HIPAA standards for privacy of individually identifiable health information include provisions that protect the security and confidentiality of health information. The field of psychology is considered a health field by HIPAA thus (very likely) applies to all William James College students working with patient/clients in a field placement site that a William James College student has been assigned.

PHI – Protected Health Information is information that can directly identify an individual and/or any of their personally-identifying identifiers such as:

- Name
- Physical address – (street name & number **not** city, state, or zip code)
- Telephone number
- Date of birth
- Medicaid ID number
- Medical record number
- Social security number
- Name of employer

Security Rule: (added to HIPAA February 20, 2003)

The rule adopts standards and safeguards to protect health information that is collected, maintained, used, or transmitted electronically. This is patient/client information that should not leave a field placement site with any health information connected to identifiable individuals.

As a result of the Security Rule, William James College students must be extremely careful about what they **retain, collect, use, store on any electronic device** and carry away from a field placement site to be used in a classroom discussion or course assignment. For example, patient records with PHI (such as intakes, assessment reports, treatment notes, admission and discharge summaries, insurance billing and reimbursement records) should not contain PHI if on electronic devices being removed from a field placement site or being used to electronically transmit PHI from a field placement site.