

Glossary of Terms for Policies

	Definition
Administrative Safeguards	Under HIPAA, administrative actions, and policies and procedures, to manage the selection, development, implementation, and maintenance of security measures to protect electronic protected health information and to manage workforce, or business associate's workforce conduct in relation to the protection of that information.
Breach	Under HIPAA, the acquisition, access, use, or disclosure of Protected Health Information (PHI) in a manner not consistent with the Privacy Rule which compromises the security or privacy of PHI.
Business Associate	Under HIPAA, with respect to a covered entity, a person or entity who assists (other than as a member of the covered entity's workforce) in the performance of: <ol style="list-style-type: none"> 1. A function or activity involving the use or disclosure of individually identifiable health information, including claims processing or administration, data analysis, processing or administration, utilization review, quality assurance, billing, benefit management, practice management, and repricing; or 2. Any other function or activity regulated under the HIPAA regulations; or 3. Provides, other than as a member of the covered entity's workforce, the following types of services: legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, or financial services to or for such covered entity, where the provision of such services involves the disclosure of individually identifiable health information from such covered entity or arrangement, or from another business associate of such covered entity or arrangement, to the person.
Covered Entity	Under HIPAA, a health plan, health care clearinghouse, or health care provider who transmits health information in electronic form in connection with a health care transaction.
Disclosure	Under HIPAA, the release, transfer, provision of access to, or divulging in any manner of information outside the entity holding the information.
Health Care Component	Under HIPAA, a component or combination of components of a hybrid entity that has been specifically designated by FIU because it either performs covered functions; or activities that would make such component a business associate of a component that performs covered functions if the two components were separate legal entities.
Health Care Operation	Under HIPAA, Health Care Operation relates to the following activities of FIU to the extent they are related to health care functions: <ul style="list-style-type: none"> • Conducting quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines provided that the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; patient safety activities (as defined in 42 CFR 3.20); population-based activities relating to improving health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives ; and related functions that do not include treatment; • Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance, health plan performance, • Conducting training programs in which students trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as

	<p>health care providers, training of non-health care professionals, accreditation, certification, licensing, or credentialing activities;</p> <ul style="list-style-type: none"> • Conducting or arranging for medical review, legal services, and auditing functions, including fraud and abuse detection and compliance programs; • Business planning and development, such as conducting cost-management and planning-related analyses related to managing and operating the institution, including formulary development and administration, development or improvement of methods of payment or coverage policies; and • Business management and general administrative activities of the institution, including, but not limited to: customer services, resolution of internal grievances, sale, transfer, merger, or consolidation of all or part of the covered entity with another covered entity and due diligence related to such activity; • Creating de-identified health information or limited data sets, • Fundraising on behalf of FIU when an authorization is not required
HIPAA Security Officer	<p>Under HIPAA, the individual designated by each Covered Health Care Component of the University to assist in the implementation of the HIPAA Security Standards, 45 C.F.R. Parts 160, 162 and 164, and to oversee and monitor the Covered Health Care Component’s compliance with the required technical, administrative and physical safeguards as these relate to protected health information created, maintained or transmitted via electronic means.</p>
Hybrid Entity	<p>Under HIPAA, a single legal entity:</p> <ul style="list-style-type: none"> • That is a covered entity; • Whose business activities include both covered and non-covered functions; and • That designates as health care components those units of the business that perform the function of a health plan, health care clearinghouse, or health care provider who transmits health information in electronic form in connection with a transaction.
Individually Identifiable Health Information	<p>Under HIPAA, information that is a subset of health information, including demographic information collected from an individual, and:</p> <ul style="list-style-type: none"> • Is created or received by a health care provider, health plan, employer, or health care clearinghouse; and • Relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual; and <ul style="list-style-type: none"> 1. That identifies the individual; or 2. With respect to which there is a reasonable basis to believe the information can be used to identify the individual.
Information System	<p>An interconnected set of information resources under the same direct management control that shares common functionality. A system normally includes hardware, software, information, data, applications, communications and people.</p>
Marketing	<p>Under HIPAA, marketing means</p> <ul style="list-style-type: none"> • To make a communication about a product or service that encourages recipients of the communication to purchase or use the product or service, unless the communication is made: <ul style="list-style-type: none"> ○ to provide refill reminders or otherwise communicate about a drug or biologic that is currently being prescribed for the individual, only if any financial remuneration received by the covered entity in exchange for making the communication is reasonably related to the covered entity’s cost of making the communication. • For treatment of the individual; or

	<ul style="list-style-type: none"> • For case management or care coordination for the individual, or to direct or recommend alternative treatments, therapies, health care providers, or settings of care to the individual; <ul style="list-style-type: none"> ○ except where the covered entity receives financial remuneration in exchange for making the communication. • An arrangement between a covered entity and any other entity whereby the covered entity discloses protected health information to the other entity, in exchange for direct or indirect remuneration, for the other entity or its affiliate to make a communication about its own product or service that encourages recipients of the communication to purchase or use that product or services.
Notice of Privacy Practices (NPP)	<p>Under HIPAA, Notice of Privacy Practices which describes, in general terms:</p> <ul style="list-style-type: none"> • How the FIU health care component will use and disclose a patient’s PHI; • The patient’s rights and responsibilities with respect to his/her PHI; and • The health care component’s duties with respect to a patient’s PHI.
Payment	<p>Under HIPAA, activities undertaken by a health care provider or health plan to obtain or provide reimbursement for the provision of health care or a health plan’s efforts to obtain premiums or to determine or fulfill its responsibility for coverage and provision of benefits under the health plan.</p>
Physical Safeguards	<p>Under HIPAA, physical measures, policies and procedures that protect a covered entity's or business associate's electronic protected health information systems and related buildings and equipment, from natural and environmental hazards and unauthorized intrusion.</p>
Protected Health Information (PHI)	<p>Under HIPAA, individually identifiable health information that is:</p> <ul style="list-style-type: none"> • Transmitted by electronic media; • Maintained in electronic media; • Transmitted or maintained in any other form or medium. • Protected health information specifically excludes: <ol style="list-style-type: none"> 1. Education records covered by the Family Educational Rights and Privacy Act, as amended, 20 U.S.C. § 1232g (“FERPA”); 2. Records described at 20 U.S.C. § 1232g(a)(4)(B)(iv); 3. Employment records held by a covered entity in its role as an employer; and 4. Regarding a person who has been deceased for more than 50 years.
Provider Identifier	<p>Under HIPAA, the standard unique health identifier for health care providers is the National Provider Identifier (NPI). The NPI is a 10-position numeric identifier.</p>
Psychotherapy Notes	<p>Under HIPAA, notes recorded (in any medium) by a health care provider who is a mental health professional documenting or analyzing the contents of conversation during a private counseling session or a group, joint, or family counseling session and that are separated from the rest of the individual's medical record.</p> <p><i>Psychotherapy notes</i> excludes medication prescription and monitoring, counseling session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following items: Diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.</p>
Secretary	<p>Under HIPAA, The Secretary of the U.S. Department of Health and Human Services.</p>
Security Incidents	<p>Under HIPAA, security incidents are the attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with system operations in an information system.</p>
Subcontractor	<p>Under HIPAA, a person to whom a business associate delegates a function, activity or service, other than in the capacity of a member of the workforce of such business associate.</p>

Transaction	<p>Under HIPAA, the transmission of information between two parties to carry out financial or administrative activities related to health care. It includes the following types of information transmissions:</p> <ul style="list-style-type: none"> • Health care claims or equivalent encounter information. • Health care payment and remittance advice. • Coordination of benefits. • Health care claim status. • Enrollment and disenrollment in a health plan. • Eligibility for a health plan. • Health plan premium payments. • Referral certification and authorization. • First report of injury. • Health claims attachment. <p>Other transactions that the Secretary of Health and Human Services may prescribe by regulation.</p>
Treatment	<p>Under HIPAA, the provision, coordination, or management of health care and related services by one or more health care providers, including the coordination or management of health care by a health care provider with a third party; consultation between health care providers relating to a patient; or the referral of a patient for health care from one health care provider to another.</p>
Use	<p>Under HIPAA, with respect to individually identifiable health information, the sharing, employment, application, utilization, examination, or analysis of such information within an entity that maintains such information.</p>
Workforce or Workforce Member	<p>Under HIPAA, part-time, full-time and temporary faculty and staff, students, volunteers, trainees, or business associate and other persons whose conduct, in the performance of work for the University, is under the direct command of the University (regardless of whether or not they are paid by the University.)</p>

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Policy Manager
 (305) 348-2216