

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

The Health Insurance Portability and Accountability Act of 1996, as amended, (HIPAA) imposes four major administrative requirements on private and government sponsored health plans: Portability, Nondiscrimination, Fraud and Abuse and Administrative Simplification. The portability provisions generally require health plans to issue certificates of credible covered that help individuals transfer to a new health plan without the imposition of pre-existing condition exclusions. The nondiscrimination provision prohibits discrimination in benefits eligibility and premiums based on health-related factors. The fraud and abuse provisions created a national data bank for Fraud and Abuse information and established new civil and criminal penalties. The administrative simplification provision encouraged the development of a health information system through the establishment of standards and requirements for electronic transmission of certain health information and applies to healthcare providers that transmit health information electronically.

Since its enactment, HIPAA has been broadened to require the health care industry to adhere to uniform codes and forms when performing specific electronic transactions, established security and privacy standards to better safeguard individual's health care information, and allow individual's greater access to their own health information.

Florida International University (FIU) elected to be a HIPAA Hybrid and respects the security and privacy of legally protected health information and understands the importance of keeping this information confidential and secured. FIU programs that perform HIPAA covered electronic transactions and create, use, and disclose "protected health information" (PHI) when providing treatment, arranging for payment, and coordinating benefits are called "Health Care Components". The following four FIU programs have been identified as Health Care Components and must comply with the HIPAA regulations:

- FIU Academic Health Center Faculty Group Practice, excluding research.
- FIU Green Family Foundation NeighborhoodHELP Program, excluding research.
- FIU Green Family Foundation NeighborhoodHELP Program, Linda Fenner 3D Mobile Mammography Center, excluding research.
- College of Arts and Science Center for Children and Families, excluding research.

FIU programs that use or disclose PHI in support of one or more of the FIU Health Care Components are sometimes referred to as "Internal Business Associates". The following five FIU programs have been identified as Internal Business Associates and must comply with the HIPAA regulations when creating, using, or disclosing PHI on behalf of a Health Care Component:

- The Office of Compliance and Integrity.
- The Office of General Counsel.
- The Office of internal Audit.
- The Division of Information Technology.
- The Herbert Wertheim College of Medicine, excluding research.

FIU workforce members of the Health Care Components and Internal Business Associates receive extensive HIPAA training. Workforce members who violate HIPAA and/or FIU HIPAA policies and procedures will be subject to disciplinary action, up to and including termination of employment, and may be subject to federal and state civil and criminal penalties.

For more information about HIPAA, or to report suspected or know violations, individuals may contact:

The FIU Office of Compliance and Integrity
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(305) 348-2216