

# Acadian Ambulance Third Party Rider Training



# ACADIAN AMBULANCE PRIVACY TRAINING ACKNOWLEDGEMENT FORM

**Name of Program:** \_\_\_\_\_ *(name of school and program)*

**Training Administered By:** \_\_\_\_\_

**Date of Training:** \_\_\_\_\_

As a participant in Acadian Ambulance's Third Party Rider Program, I agree to review the following information and sign below. By my signature, I acknowledge receipt of privacy training and understand the importance of upholding the integrity and confidentiality of Acadian Ambulance's patients.

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

# **Third Party Rider Training**

## **Background on the Privacy Rule**

### **What is the Privacy Rule?**

The privacy rule is one of three standards developed to enforce the Health Insurance Portability and Accountability Act of 1996. The privacy rule focuses on protecting patient health information. The rule does this by requiring covered entities (those affected by the rule) to develop policies and procedures aimed at safeguarding protected health information. It also strikes a balance between covered entities and patients by extending new rights to patients in deciding how their health information is used.

### **Who does the rule cover?**

The rule covers health plans, health care clearinghouses and healthcare providers who transmit any information in electronic form in connection with a HIPAA covered transaction. Acadian Ambulance, as a provider who transmits information electronically, is considered a covered entity and must comply with this rule.

### **What type of Information does the Rule Cover?**

The rule covers protected health information, that is, information which is individually identifiable with the patient. Protected Health Information consist of information containing patient identifiers, such as; the patient's name, social security number, medical record number, driver's license number, etc.

### **Uses and Disclosures**

The rule sets out various categories of uses and disclosures. The main category is disclosures made for treatment, payment and healthcare operations. A covered entity can generally use and disclose patient information for the purposes of rendering care to a patient, receiving payment for the care rendered and for matters related to its own operations. This group of disclosures also permits a covered entity to provide information to other covered entities that have a treatment relationship with the patient for these purposes as long as the covered entity adheres to the requirements of the rule. Any uses and disclosures made incidental to those made for treatment, payment and healthcare operations are also protected under the rule if the covered entity has, in place, safeguards to protect against unauthorized disclosures. Ex. If a medic is discussing the treatment of a patient with his partner (authorized disclosure of protected health information) and is doing so at a lowered volume in adherence to Acadian's Privacy Policy the medic is not responsible for any incidental disclosures which may result from a person at the scene overhearing this exchange.

## **The Minimum Necessary Rule**

The minimum necessary requirement is an important element of the privacy rule because it limits the use and disclosure of information or request for information to that which is necessary to carry out the specific task at hand. What this means is that, even if a disclosure is generally authorized, if the person disclosing the information discloses more than is necessary, this could result in a violation of the rule.

The rule also deals with the access that employees have to certain protected health information. Employees should only have access to that information which is required to carry out their job duties.

The minimum necessary requirement does not apply to disclosures made for treatment purposes, to those made to the patient himself, those required by law, those made pursuant to a valid authorization form, nor does it apply to those made to the department of health and human services.

## **Patient Rights Under the Rule**

The rules extends the following rights to patients:

- Right to receive a copy of Acadian Ambulance's Notice of Privacy Practices on or before the first service date after April 14, 2003 (deadline for compliance with the Privacy Rule)—this notice informs the patient of their rights and tells them how to access those rights. Medics must make a good faith effort to provide patients with a copy of the notice and to obtain acknowledgement of receipt of Notice on all transports with the exception of emergency transports. In emergency situations, covered entities are not required to provide a copy of the Notice; but, must attempt to provide a copy as soon as reasonably practicable thereafter.
- Right to Access, Inspect or Copy – the patient has the right to request a copy of their medical records. This request must be made in writing and the covered entity has 30 days to respond.
- Right to Amendment – the patient has the right to request an amendment of any protected health information contained within their designated record set. This request may be denied under certain circumstances.
- Right to an Accounting – the patient has the right to request an accounting of certain uses and disclosures of their protected health information.
- Right to Request Restriction on the use of protected health information – the patient may request that the covered entity restrict the way in which their protected health information is used or disclosed. These requests may be denied.
- Right to Complain Internally and Externally- the patient has the right to complain internally and/or externally if they feel that their rights have been violated. Internal complaints should be directed to the Complaint Officer and external complaints can be made to the Department of Health and Human Services.

## **Importance of the Rule / Sanctions**

The rule imposes severe civil and criminal penalties. Violations of this rule could result in criminal penalties of up to \$250,000 and or 10yrs in prison.

## **POLICY ON SECURITY**

### **Policy:**

It is the policy of Acadian Ambulance to safeguard patient health information against unauthorized uses and disclosures and to put in place measures to minimize incidental uses and disclosures of patient information. In using or disclosing protected health information, all employees must adhere to company policy and limit their use or disclosure of protected health information to that which is necessary to carry out their job.

### **Procedure**

#### Oral Communication

1. Patient care should only be discussed with individuals who are involved in the patient's treatment or who have some other right to use or disclose such information under the Privacy Rule.
2. When discussing patient information, employees should be aware of their environment and should, when feasible, avoid discussing patient care at a volume that can be overheard by individuals who are not authorized to use or disclose such information.
3. In an effort to prevent unwarranted disclosures of protected health information, the following measures should be taken:
  - At the Transport Scene – Attendants should, when feasible, discuss patient information at a tone that reasonably assures that individuals who are not authorized to use or disclose such information cannot overhear the information.
  - Discussions with Customers – Conversations with customers who come in to discuss protected health information should not occur in lobbies or waiting areas generally accessible to the public. Customers

should be taken to a secure area to receive counseling regarding services provided.

- Calling Tickets in to the MSC Center – When feasible, medics should call tickets in from secure locations that are not populated by individuals who are not involved in the patient’s care.

### Storage and Retention

1. Only those individuals who have a need to view protected health information for the completion of a task related to their job should have access to it.
2. Documents containing protected health information should not be left in open bins, on desktops or in other open areas when not in use by employees.
3. Documents containing protected health information that are no longer in use should be stored in a secure area, shredded on site, or placed in a secure shred bin for proper disposal. A secure area for the purposes of this policy is defined as a filing cabinet that locks or a locked office or storage area that is not accessible to unauthorized personnel.
4. In securing the confidentiality of protected health information, employees should adhere to the following:
  - Fax machines should be placed in secure locations to insure the privacy of documents containing protected health information.
  - Documents containing protected health information should not be left unattended on fax machines.
  - All employees who fax documents containing protected health information should utilize fax cover sheets containing confidentiality statements.
  - Employees should verify that information is being sent to a secure fax and to an authorized recipient. Such verification may be accomplished by verbal confirmation and documented in the patient account notes.
  - When employees leave their work area for an extended period of time, documents containing protected health information should be

turned over so that the side containing protected health information is not exposed.

- Documents containing protected health information should be routed in secure envelopes. Routing slips should not be utilized as the sole means of sending protected health information from one department to another.

### Technical Safeguards

1. Computer access terminals and other remote entry devices should be kept secure.
2. Access to any computer should be by password only.
3. Employees should be sensitive to who may be in viewing range of the monitor and take simple steps to shield viewing of the screen by unauthorized persons.
4. Employees should utilize password-protected screensavers to prevent unauthorized or incidental disclosure of protected health information.
5. Please refer to the Acadian Ambulance Computer Usage Policy.

## **NOTICE POLICY AND PROCEDURE**

It is the policy of Acadian Ambulance to provide Notice to all patients transported or treated on or before the first service date after April 14, 2003 in compliance with the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996.

### Procedure

1. Acadian Ambulance shall provide Notice to its patients in the following manner:
  - Posting on website
  - Posting in lobbies of Acadian Ambulance Offices which are open to the public
  - Physical delivery to patients at the time of service

### **Transports**

2. Medics are to provide the patient with a copy of its Notice of Privacy Practices on or before the first service date after the compliance date of April 14, 2003 and make a good faith effort to obtain the patient's or patient's personal representative's signature acknowledging that they received a copy of the Notice.
3. If the medic is unable to obtain acknowledgment, he must document the reason why acknowledgment was not obtained and a notice will be mailed to the patient.

### **Refusals**

4. Medics are to provide the patient with a copy of Acadian's Notice of Privacy Practice and obtain the patient's signature in the refusal area of the signature page which will includes a statement acknowledging that the patient received a copy of Acadian's Notice of Privacy Practices.



## **Acadian Companies Confidentiality Statement**

In accordance with the policy, all third-riders of Acadian are required to read and indicate their acceptance of the confidentiality statement below:

It is the policy of Acadian Companies to uphold the confidentiality and integrity of patient's information received during the course of providing services to patients and billing for services provided. Acadian Companies prohibits the release of any patient information to anyone outside the organization and discussions of protected healthcare information within the organization should be limited. Acceptable uses of PHI within the organization include but are not limited to peer review, internal audits, quality assurance and billing. I understand that Acadian Companies provides services to patients that are private and confidential and that I am a crucial part of protecting the privacy right of Acadian's patients. I understand that it is necessary, in rendering services, that patients provide personal information and that such information may exist in a variety of forms such as oral, written, electronic or photographic and that all information is strictly confidential and protected by federal and state laws that prohibit its unauthorized use or disclosure for treatment, payment and healthcare operations.

I agree that as a third-rider of Acadian Companies I will comply with all confidentiality procedures set in place by Acadian during my entire field ride time with Acadian Companies. If I at any time, knowingly or inadvertently breach the patient confidentiality policies and procedures, I agree to notify the Privacy Officer of Acadian Companies immediately. In addition, I understand that a breach of patient confidentiality may result in suspension or termination of my rights to participate in third-rider program at Acadian Companies. Upon termination of my field ride time for any reason or at any time upon request, I agree to return any and all patient confidential information in my possession.

I have read and understand all privacy policies and procedures that have been provided to me by Acadian Companies. I agree to all conditions of my third-rider participation set forth in this agreement.

**Student Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_