

HIPAA Privacy and Confidentiality Statement for Student Clinicals

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On _____, 20____, I will be doing CNA clinicals for educational purposes required for completion of the certified nurse aide training program. I understand that I will see, hear and/or otherwise have access to confidential health care information and other privileged documents. As such, I understand and agree that I must review and adhere to the guidelines listed below.

Introduction:

- HIPAA is the Health Insurance Portability & Accountability Act of 1996
- HIPAA required Congress to enact comprehensive privacy law; if not done by August of 1999, the Department of Health and Human Services (HHS) was required to address this.
- The Department of Health and Human Services published the Privacy regulation in December 2000 with an effective date of April 14, 2003.

Who Must Comply?

- All Covered Entities (CE), which includes health plans, health care clearinghouses, and those healthcare providers who conduct financial and administrative transactions electronically. This includes the entity where I will be spending time.

What is Protected Health Information (PHI)?

- Individually identifiable health information
- Transmitted or maintained in any form or medium
- This includes patient records in printed or electronic format or oral communication

This would include any information including demographic information that:

- Is collected from an individual
- Is created or received by a covered entity
- Relates to the past, present, or future physical or mental health condition of an individual
- Relates to the provision of health care to an individual
- Relates to the past, present, or future payment for the provision of health care to an individual
- Identifies the individual where there is reasonable basis to believe that the information can be used to identify the individual

What areas do the Privacy Rules affect?

- Any and all areas that deal with PHI
- It does not matter that you do not directly care for patients
- It includes testing results, research, and billing records that contain health information
- Students, trainees, volunteers and other persons who have access to PHI are affected
- It includes what you store on computers, desks, files, off-site storage, disks, etc.

- It affects what you say, to whom it is said and what information you are providing.

What are the Minimum Necessary Requirements?

- HIPAA requires that you take reasonable steps to limit the use, disclosure of, and requests for PHI to the *minimum necessary* to accomplish the intended purpose.
- What PHI is *reasonably* necessary is determined on a case by case basis by the CE.
- This does not apply to disclosures for treatment purposes, but to payment, health care operations and research.

What happens if you violate the Privacy Rule?

- Civil penalties
- Criminal penalties —
 - Knowing release of PHI — may result in jail time and/or penalties
 - Access to PHI under false pretenses — may result in jail time and/or penalties
 - Releasing PHI with intent to sell, transfer-or use for commercial advantage — may result in jail time and/or penalties

By signing below, I represent that I have read the attachments and understand that I am obligated to maintain the protection of patient privacy and other confidential matters at the Avera Education & Staffing Solutions' clinical site. Any confidential health care information that I may see, hear or otherwise access cannot be disclosed.

I hereby certify that I have read this document and am aware of confidentiality requirements expected of me.

Signature

Date

Name Printed

Signature of Parent or Guardian if individual is under 18.

Date

Name Printed