

HIPAA Privacy Regulations

Standard Procedures

This standard practice outlines how Flores & Associates, LLC, business associate of <Company> has adopted appropriate safeguards regarding the use and disclosure of protected health information as defined by the Department of Health and Human Services under the Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH).

Definitions

Protected Health Information: Encompasses substantially all “individually identifiable health information” which is transmitted or maintained by a health plan, regardless of its form. Identifiable health information is defined broadly to include any health information that relates to an individual’s physical or mental health or condition, including information related to the provision of health care.

- 1.01 Employees of Flores & Associates, LLC, business associate of <Company>, understand and agree to adhere to all policies governing the security and confidentiality of protected health information.
- 1.02 Reimbursement Claim Forms
Hard copies of all reimbursement claim forms are stored in a secure area while in the Flores office. Copies are shredded after digitally imaged into the Flores & Associates system.
- 1.03 Phone Conversations with Participant
To ensure that potential Protected Health Information is not divulged to an improper party, Flores & Associates will confirm the participant’s social security number/payroll ID number and mailing address to recognize a participant or participant representative.
- 1.04 Changes in mailing address will not be accepted via phone conversation.
Participant must request a mailing address change in writing via fax, mail, or an email to Flores. Participants may also update their address online using our secure website.
- 1.05 Phone Conversations with Service Providers
Telephone calls to service providers will be limited to requests for information at the request of the participant and/or a signed release form.
- 1.06 Phone Conversations with <Company>
Telephone calls to <Company> will be limited to requests for that information which is considered enrollment information and is used for plan administration purposes only and no protected health information.
- 1.07 E-mail Correspondence
Notification emails sent to participants throughout the claim process do not include identifiable health information. Any additional email correspondence from Flores to a participant shall not include identifiable health information. Flores & Associates will not, however, be responsible for any transfer of confidential information via email originating from the participant.

- 1.08 Participant Activity Statements
Flores & Associates will not disclose participant activity statements to <Company>. Such statements contain protected health information and will be limited to participant requests only.
- 1.09 Rejection Letters/Mailed Flores Correspondence
All correspondence originating from Flores & Associates is mailed to the participant's home address. Prior to mailing, each correspondence is audited to ensure correct identification of enclosures.
- 1.10 Rejection Responses/Participant Correspondence
Hard copies of any employee correspondence are held in a secure area while in the Flores & Associates office. All documents are shredded after being digitally imaged into the Flores system.
- 1.11 Reimbursement Checks and Direct Deposit Vouchers
All checks and vouchers contain protected health information in the form of participant or dependent name, identifiable services, and service dates. In order to protect this information, Flores & Associates maintains the following in-house check procedures:
Checks and vouchers mailed directly to participant home are sealed prior to mailing. Checks and vouchers sent to <Company> instead of participant home addresses are sealed prior to mailing. Voided checks and returned vouchers are manually shredded in the Flores & Associates office.
- 2.01 Internet Security
Participant account information accessed through the encrypted Flores interactive website (www.flores247.com) does not provide any information considered to be protected health information. Independent PID/PIN numbers are assigned by Flores once election data is received but participants are encouraged to change their PID/PIN upon first login to a User Name and PIN that is easier to remember.
- 3.01 Electronic Data Transfer Compliance
Standard format for Electronic Data Interchange between <Company> and Flores is not required. All data transferred between <Company> and Flores is considered employment record and is not subject to standardized formatting. However, Flores does encourage all clients to submit electronic data in a secure manner. All correspondence originating from Flores & Associates is protected with a randomly assigned password.
- 4.01 Securing Protected Health Information (PHI)
Flores & Associates maintains policies and procedures for securing all Protected Health Information. Electronic forms of PHI are encrypted and when appropriate completely destroyed under National Institute of Standards and Technology (NIST) standards. Paper documents containing PHI are shredded on-site by a secure shredding service.

- 4.02 Business Associate Agreements and HITECH Amendments
Flores & Associates serves as a Business Associate to <Company>. <Company> serves as a Covered Entity. <Company> is responsible for maintaining Business Associate Agreements and HITECH amendments. Flores & Associates will review, revise and enter such agreements at the request of <Company>. Agreements should contain a security breach notification rule.
- 4.03 Maintain a Breach Log
Flores & Associates has established a procedure to maintain a log book to track security breaches, if any as required by the HITECH Act.
- 4.04 Notification of non-permitted use or disclosure of Protected Health Information (PHI)
In Compliance with HIPAA and the HITECH ACT, Flores & Associates serving as a Business Associate to <Company> will follow the notification rules pursuant to the HITECH Act. Flores & Associates will honor the notification requirements specified in a Business Associate Agreement with <Company> if breaches of unsecured protected health information occur.
- 4.05 HIPAA, PHI and HITECH Training
All responsible Flores & Associates employees are educated about the need to “secure” all PHI data. Secondly, responsible Flores & Associates employees are educated about how to identify a security breach and how to report it.