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406.p PROCEDURES FOR CARRYING OUT HIPAA REGULATIONS

Privacy Rights Regarding Use and Disclosure of Protected Health Information

The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) privacy rules require an employer to guard against misuse of an individual’s identifiable health information, and to limit the sharing of such information. To comply with these regulations MAWSECO has taken the following steps:

- Designated MAWSECO Director of Business Services to see that HIPAA privacy procedures are adopted and followed.
- Developed this HIPAA privacy rights, which limits access to health information to those employees who manage the flexible benefits program or process flex claims, who manage or process First Report of Injury forms, who manage or process medical leave requests, and who manage or process health or other insurance enrollment and health history forms. These rights also allow flexible benefits participants to see and amend their health-related records (typically this refers to claim forms and the third party statements submitted with claim forms). These rights do not affect the flex plan rules for modifying flex elections.
- Notified affected employees of the HIPAA privacy rights through distribution of these rights.
- Developed criteria to limit requests for disclosure of health information to the minimum needed for the purpose of the request; and review each such request in accordance with those criteria. Requests for disclosure of health information may be needed for processing of flex claims. We must be able to determine the date the expense was incurred, for whom it was incurred, and the nature of the expense. Requests for disclosure of health information may also be needed for processing health or other insurance enrollment, which may include health history data.
- Trained employees who handle health information so they understand the privacy procedures and prevent use of that information in employment decisions.
- Secured health information so that it is not readily available to persons who do not need to see it.