

Hipa a violations affect the medical billing process

[Science](#), [Physics](#)



Introduction

AIDS. Human Immunodeficiency Virus (HIV) is found to be in the immune system of the affected body and it focuses on destroying the CD4 and T cell, which actually helps fight off diseases. It was said that a person will be able to tell when they are experiencing HIV because they will get flu symptoms or not even get symptoms until months or years down the line. Acquired Immune Deficiency Syndrome (AIDS) arrives at the end stages of HIV. AIDS begins to come when the immune system can no longer defend it self from diseases. HIV is often transmitted through sexual activity within partners or IV drug use, such as sharing needles. Also, it was said from people that AIDS was initially thought to be a disease for gay males and that stigma has stuck but it was clear that women and children of all ages, sexual orientations and races can also be the victims of HIV and AIDS.

Understanding what exactly theHealthInsurance Portability andAccountabilityAct (HIPAA) is all about help people to understand the implications of HIV and AIDS from the perspective of HIPPA confidentiality. In 1996 it was Congress that enacted HIPAA to prevent patient's personal health information from being used by people who was not given permission or allowed too. HIPAA restriction was given permission to be allowed on medical records and the way information is handled and which party has access to the information. HIPAA operates in four different ways and not only that but they are broken down into four parts. First will be the portability part, this is what gives people the chance to get insurance coverage. Second will be the transaction, this control the way you are to file a claim and also any other information that falls in this category. Than you have third and

fourth, which is security and privacy and by the way I believe is most important. The HIPAA Privacy Rule informs the national standards for protecting all patients' privacy of health information of any sort. Any type of medical information that contains patient's personal identifiers must be protected with no exception whatsoever. Something else that HIPAA requires is that an organization must define who has access to PHI and just how much of the patient's personal information is accessible. HIPAA affects the billing process by making sure that patient demographics are up to date and kept confidential. Within the patient files, there should be an authorization letter to allow a practice to use any of the confidential information and to bill that patient information to their carrier for services. If this authorization letter is not on file, the practice may not for any reason release or disclose any patient's information that falls under treatment that the patient has had in the past. All of the patient's medical records, reports, and other important clinical materials are legal documents that belong to the person who created them. But for any reason, the provider cannot withhold any of the information in the records unless providing it would be detrimental to the patients' health. The medical insurance specialist handles any issues, such as requests for information from patient records. It is recommended that they are trained to know what information can be released about patients' conditions and treatments.

Concerning HIPAA regulations, a patient's healthcare provider and his entire staff must adhere to and demonstrate compliance with the regulations of HIPAA. HIPAA demands privacy regarding a patient's personal information. That includes diagnosis as well as information regarding sexuality and history of drug use.

This applies to all diagnoses, but because of the social stigmas mentioned earlier, people are even more sensitive when it comes to AIDS disclosures. There are always steps that can be done to be absolutely sure that everyone practices compliance with HIPAA. One would be to check your privacy guidelines, by browsing through the HIPAA privacy and security guidelines occasionally to make sure that you stay up to date with all guidelines. You can also make sure that you are in compliance by being sure that all employee's along with everyone that comes in contact with the patient are trained and that they attend training at least two to three times a year. This is something that should be recommended because of how HIPPA changes it's' rules. It is also good to be sure that any business that's involved has a written agreement in place over regulations to be on the safe side. All Incidents should be handled right away when the matter occurs as well handled immediately with all documents in place. To make sure that any violation that has occurs and reported their can be no retaliation against the reporting party. Reviewing the systems activity on a daily basis to ensure that there is no suspicious activity that you are not aware of is a also something that would be a good thing to do. By the way research shows in the past there have been some cases of medical identity theft and how it can be prevented. Research states that, " you can do this by conducting a technical audit if there is any suspicious activity then it can be caught in its early stages."

While examining " the social, legal, and ethical ramifications of improper disclosure" important information was given out during the research. "

Privacy regulations issued by the Department of Health and Human Services

under the Health Insurance Portability and Accountability Act declare to protect the privacy of American patients' health information in several ways." (HIPAA Privacy Regulations, 2000). The regulations were intended to give patients control over any of their health information and create strict limit around how medical records can be used and released in any confidential way. The regulations also made it to where they balance publicresponsibilitywith specific privacy protections meaning that they allow many uses of patient information without consent. There are a few legal ramifications of improper information disclosure which the U. S. Department of Justice has clarified. There are a few penalties that may be assessed and whom these penalties may be against for these violations. " Covered facilities and persons whom " intentionally" attain or disclose individually identifiable health information in violation of HIPAA may be fined up to \$50, 000, as well as imprisonment up to one year" (Amaguin, 2011) When ever confidential information is inappropriately disclosed it can createfamilyand socialstress, employment issues and even housing issues. The law does say that all patients have every right to sue medical providers if their information is not properly locked up and safe.

When new laws implemented to make HIV medical information, and the confidentiality surrounding it extremely strict this was done to protect those suffering from this virus. " The ethical issues relating to confidentiality and partner notifications within the context of HIV infection are complex. The right of the individual to confidentiality can be in conflict with the right of the partner to be protected from the risk of infection." (Social and Ethical Issues, 2004) In the world, society is a discriminative society period. An HIV patient

is prone to social isolation and discrimination consistent throughout society. A lot of people view the HIV patient as a germ or an infected area. With various explanations available the people in public does not want to understand what the public fears so they try to avoid the situation by talking about the infected person among each other. This is something that goes on in society and when it comes to the patient's health information physicians are suppose to be sure that all personal information stay hidden away and is not given out to any third party or people is not given permission.

REFERENCES

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