

# Example of essay on how hippa violation affects the billing process

[Law](#), [Criminal Justice](#)



## **How HIPAA Violation Affects the Medical Billing Process**

HIPAA is a privacy policy that prevents patient's health details while making sure that they are held confidential especially those of HIV/AIDS patients.

HIPAA affects the billing process by keeping patients demographics updated and private. The medical billing process involves a follow up on insurance firms on patients who have insurance cover so as the medical cover can be paid. This process involves the hospital, the insurance, and a chain of process is undertaken. HIPAA sets a limit to the amount of information revealed to patient's relatives while regulating individuals who can access patient's sensitive medical details. A letter should be availed on all private records allowing use of the information to their insurance company. Medical insurance companies have departments that get information about patients' health details. Furthermore, they have their policies on how these documents should be handled (HHS. gov, 2014).

There is great interest in practicing the HIPAA privacy rule among HIV/AIDS patients due to high stigma associated with it. The stigma against HIV/AIDS victims emanates because the disease is associated with the sexual minorities, drugs and immorality. Patients with HIV/AIDS do not like talking about it not even with their families. Patients who live in stigmatized regions may refuse to go to seek medical attention, as they are afraid of disclosure of their health condition. Discrimination against HIV/AIDS victims is common in some regions, as they believe that it is contagious and spread easily, leading to the isolation of HIV/AIDS victims (HHS. gov, 2014). HIV/AIDS patients are often viewed as immoral people. The stigma may affect the patient's life negatively. HIPAA privacy rule protects patients who fear

rejection from their families due to their HIV/AIDS status. Women with HIV/AIDS are more discriminated compared to men, as women are considered morally different to men. HIPAA also plays a major role in protecting the minority groups such as the gay people who suffer stigma and violence due to their HIV/AIDS status. In this context, it is apparent that HIV/AIDS is different from other diseases.

The HIPAA privacy rule interferes with research, since more paperwork and clearance is required from both the institution and the patient. HIPAA provides a legal procedure on how information should be obtained for research while still maintaining the patients' confidentiality. However, the policy limits the information that can be disclosed to the research organization. The regulation of data promotes respect and dignity towards patients as people values their privacy. The institution should inform patients on security breach on their health records, and give a brief explanation of how it occurred. Disclosure should be done privately through a private e-mail or message on their personal accounts. Disclosure of protected health information may also be necessary when required by law. For example, the insurance company may give out information for the registry of new infections, prevention and distribution of medicine (Joy & Pritts, 2014). Improper disclosure of health documents may cause embarrassment, ridicule, violence or loss of employment to the victim. Failing to observe HIPAA guidelines may lead to family issues as the patient may be disowned or even cause conflict in families due to HIV/AIDS based discrimination. Discloser of patient's HIV/AIDS status may also lead to domestic violence among couples. Some patients may be forced to move out of their houses

depending on the people's view on HIV/AIDS. The victims of such acts may also be forced to stop using public amenities or even going out in public places. Improper disclosure of health details may lead to more infections, as the victims shy from treatment. HIV/AIDS victims are misunderstood, as they are held liable for their infection, which might lead to lack of dignity and even suicide. Disclosure of private details to the wrong people lowers the patients' self-esteem and makes them unwilling to discuss their status. Health documents should not be disclosed to prevent some of the stated circumstances and reduce social stigma.

Certain legal policies have been adopted to protect HIV/AIDS patients. For example, if a doctor gives out a patient's health details without his or her consent, the doctor should face legal actions. Moreover, when the government requires health records, the institutions lawyer should thoroughly examine the request to affirm that it is genuine (Joy & Pritts, 2014). A doctor should not disclose information unless in exceptional circumstances. However, if a person is thought to be at risk of being infected, there is no legal case against the disclosure of such information, as this is an exceptional situation. For example, when couples are in an intimate relation and one partner is HIV positive and is not willing to inform the partner (Practice Organization, 2014).

When disclosure of health records is necessary, authorization from the patient is required in written form. For example, when giving personal details to insurance companies, there are specified details that should be given and when research is being carried out on the patient. Patients should also be kept updated on their records by being given a copy of their health details

and seek clarifications where necessary. Health institution should give accountability to patients on disclosure of their details including insurance and research companies. Accountability should include the date of disclosure, person to which made, the amount of information disclosed and the reason (Practice Organization, 2014).

There are penalties in case of improper disclosure of medical information. Patients may sue for compensation from institutions that failed to maintain the confidentiality. The penalties are applied depending on the extent of the violation, which may include whether the patient had earlier been informed of the violation when the violation occurred or negligence. However, there are exceptional circumstances where there are no penalties. These circumstances include where the patient had been informed of the violation, and the breach corrected (Joy & Pritts, 2014).

Health care institutions should teach their staff on how to maintain the privacy. Health practitioners should be well conversant with the HIPAA privacy rule to avoid its violation. Medical institutions should be updated on various changes made to the HIPAA rule to maintain professionalism and confidentiality on its patients. All patients' health records should be treated with confidentiality regardless of the practitioner's opinion, and should only be disclosed with permission from the patient. Medical institutions should clearly state persons who have the right of entry to patient's health records. The administration should carry out audits to check for any HIPAA security violation and look into it. An institution should also physically safeguard its records by storing them in secure rooms where they are not easily

accessible. Medical staff should be trained on maintaining records such as visitor's registration to prevent HIPPA violation.

## References

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