

Hipaa privacy
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HIPAA privacy regulations and the ramifications of improper information disclosure 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).

As summarized by HHS, the regulations are intended to give patients control over their health information; create " limits" around how medical records can be used and released; make certain the security of personal health information; and ascertain accountability for the use and release of medical records (HIPAA Privacy Regulations, 2000). The regulations also " balance public responsibility with privacy protections," meaning that they allow many uses of patient information without consent (HIPAA Privacy Regulations, 2000).

Not only does HIPAA have privacy regulations, it also has security rules that came into effect on April 21, 2005. The privacy regulations and security rules are the only national set of regulations that administers the use and disclosure of private, confidential, and susceptible information (Amaguin, 2011). 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).

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Offenses committed under insincere or feigned behavior allow penalties to be increased to a \$100, 000 fine, with up to five years in prison (Amaguin, 2011). Finally, offenses committed with the intention to sell, transfer, or use individually identifiable health information for commercial benefit, personal gain or malevolent harm permit fines of \$250, 000, and imprisonment for up to ten years (Amaguin, 2011).

Health care providers should review their privacy and HIPAA policies and conduct an audit of their practices in order to protect against the unacceptable use and disclosure of private health information and to reduce the risk of privacy violations in their own organization. In the health care industry ethics play a very important and vital role therefore they are subject to many ethical issues. One of the most important ethical issues in the healthcare industry today is the protection of private and personal patient information.

Not only does the doctor have to maintain the ethics involved in the health care industry but the whole facility as well. The physicians who don't adhere to the professional ethics increase their chances of losing their license. Nurses and other staff can lose their jobs and face jail time if they try to go against the specific professional ethics put in place for the health care industry. The social ramifications of improper information disclosure can be very devastating to say the least, especially for someone who has HIV or AIDS.

If a patient's information that has HIV or AIDS gets into the wrong hands it can destroy their reputation rather quickly. When these diseases were first

discovered no one knew how it was spread but we knew that it eventually resulted in death (Wolf & Lo, 2011). Because of this laws were put into place to help keep HIV positive patients personal and medical information confidential. These laws were established to protect the infected persons from being discriminated against (Wolf & Lo, 2011).

Because HIV related information is especially sensitive many states have now adopted laws that provide extra protection for HIV related medical records. The HIPAA privacy regulations apply to all those employed at a health care facility, health plan, or pharmacy. These privacy regulations were put into place to protect the privacy of a patient's personal health information whether it is transmitted through spoken, written, or electronic information (Skipper, 2010).

The only time an employee should be looking at or sharing a patient's information is if it is required to perform job duties (Skipper, 2010). There are times where the HIPAA privacy regulations will be violated unintentionally. This can happen through information being left on computer screens, documents being left out on a desk, or information getting misplaced. Violating HIPAA is a very serious matter; therefore all employees of health care facilities should take certain precautions to avoid these accidental violations (Skipper, 2010).