

# HIPAA Facts

## What is HIPAA?

Many health care organizations require that their employees be HIPAA trained. HIPAA stands for Health Insurance Portability and Accountability Act. As medical interpreters, you are also expected to be familiar with HIPAA and comply with patient privacy laws.

## What is a Covered Entity?

According to the U.S. Department of Health and Human Services:

*“A health care provider that conducts certain transactions in electronic form (referred to here as a “covered health care provider”), a health care clearinghouse, or a health plan, or an organization or individual that is one or more of these types of entities is referred to as a “covered entity” in the Administrative Simplification regulations”.*

Here is a helpful chart of who is a covered entity:

A Health Care Provider	A Health Plan	A Health Care Clearinghouse
This includes providers such as: <ul style="list-style-type: none"> <li>• Doctors</li> <li>• Clinics</li> <li>• Psychologists</li> <li>• Dentists</li> <li>• Chiropractors</li> <li>• Nursing Homes</li> <li>• Pharmacies</li> </ul> ...but only if they transmit any information in an electronic form in connection with a transaction for which HHS has adopted a standard.	This includes: <ul style="list-style-type: none"> <li>• Health insurance companies</li> <li>• HMOs</li> <li>• Company health plans</li> <li>• Government programs that pay for health care, such as Medicare, Medicaid, and the military and veterans health care programs</li> </ul>	This includes entities that process nonstandard health information they receive from another entity into a standard (i.e., standard electronic format or data content), or vice versa.

## What is a Business Associate?

*“A “business associate” is a person or entity that performs certain functions or activities that involve the use or disclosure of protected health information on behalf of, or provides services to, a covered entity.”*

**Intelligere is considered a business associate. Business Associates and its independent contractors (interpreters) are held liable to all HIPAA laws, just like Covered Entities.**

Here are some examples of business associates:

- Lawyers
- Consultants
- Claims processing firms
- Data transmission services

## Potential HIPAA issues to be aware:

- Do not transmit PHI (protected health information) over unsecured email/text. If you must share information with an interpreter, it's best to share a job number, encourage the interpreter to log into their portal to view detailed information, or pass the information along over the phone.
- If you have PHI stored on your personal device (ipad, smartphones), ensure that you your device is password protected. Alert management right away if your device is lost or stolen, if it contains PHI.
- Never shared personal devices with friends or family members if your device contains PHI.
- Interpreters should never store timesheets in an unsecured location (i.e. their car), or leave timesheets sitting out where anyone can view them.
- If timesheets need to be faxed to the interpreter at a clinic, ensure that only the relevant timesheet is faxed. For example, if a Karen interpreter is at St. Paul Eye Clinic needs a timesheet for his next appointment at MN Gastro, we can only fax the timesheet for St. Paul Eye Clinic.
- Interpreters should not leave a voicemail with PHI when doing confirmations, as they do not know if that voicemail is secured.
- Violations may result in civil monetary and criminal penalties.



For additional information, please visit:

<https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html>