HIPAA Privacy Overview

The Health Insurance Portability and Accountability Act (HIPAA) Privacy Regulation (45 CFR Part 160 and Subparts A and E of Part 164) provides the first comprehensive Federal protection for the privacy of protected health information (PHI). This rule, effective April 14, 2003, is intended to balance strong privacy protections that do not interfere with patient access to, or the quality of, health care delivery. Under the Privacy Regulation

- The Medical College of Wisconsin is required to develop policies and procedures on all aspects regarding the use and disclosure of PHI at our institution.
- The Medical College of Wisconsin is required to provide patients with written notice of our privacy practices and patients’ privacy rights.
- The Medical College of Wisconsin must obtain satisfactory assurances from our business associates that the business associate will appropriately safeguard the PHI it receives or creates on behalf of MCW. These assurances must be in writing through business associate contracts.
- All Medical College of Wisconsin faculty and staff must make reasonable efforts to limit the use or disclosure of PHI to the minimum necessary to accomplish the intended purpose, unless the use or disclosure is for treating a patient.
- Patients must give specific authorization before the Medical College of Wisconsin can use or disclose PHI in most non-routine circumstances.
- Patients generally will be able to access their personal medical records and request changes to correct any errors. Also, patients generally can request an accounting of non-routine uses and disclosures of their PHI.
- Group practices, hospitals, pharmacies, health plans and other covered entities must first obtain an individual’s specific authorization before sending marketing materials, with some limited exceptions.

The Privacy Regulation is designed to enhance the protections afforded by many existing state laws. Stronger state laws and other federal laws continue to apply - the federal regulation provides a national base of privacy protection.

If you wish to learn more about HIPAA please visit the MCW HIPAA website at http://infoscope.mcw.edu/display/router.asp?DocID=7961.