

How HIPAA Violations Affect the Medical Billing Process

HCR/220

Abstract

The purpose of this paper is to relate to ways that the Health Insurance Portability and Accountability Act (HIPAA) violations may affect the medical billing process. While researching, the findings conclude that confidentiality of health information was adopted centuries ago. The findings of the research show that although, HIPAA laws have been put into place to protect the privacy and confidential health information of patients; HIPAA laws are sometimes violated. The medical billing coders are sometimes careless when handling confidential information; however medical health records should be protected adequately. The coder that violates the HIPAA laws concerning the confidentiality and privacy of patient health information can suffer serious ramifications. The ramifications of these violations could result in serious penalties such as disciplinary actions by the employer, monetary fines, and jail time, or both. HIPAA violations ranks number one among the complaints received by the Office of Civil Rights each year.

Humans take pleasure in the right to privacy in every aspect of life. The right of protecting the confidentiality and privacy of identifiable personal health information takes first priority and is greatly cherished among most. The Hippocratic Oath, dating back centuries required physicians to keep medical information concerning their patients a secret. However, in today's society medical health information is maintained by more than the physician and patient. Personal health information is retained in paper records as well as computer database of health care practices, hospitals, diagnostic services, laboratories that perform tests and provide medical care. Insurance companies to which medical insurance claims are submitted or coverage is made also have access and retain medical health information (American Health Information Management Association, 2004). Although personal medical health information is widely shared among health care professionals, laws were put into place to protect the confidentiality and privacy of the patients medical information; nevertheless the laws are sometimes violated.

In 1996 the Health Insurance Portability and Accountability Act also known as HIPAA, was approved by the United States Congress. On July 1, 1997 the law became effective. HIPAA is a set of laws that oppose fraud and misuse in health insurance and health care delivery.

HIPAA's purpose is to improve the effectiveness and quality of the health care system and health insurance coverage. The HIPAA law was passed to prevent the disclosure of personal and private patient medical information, which was a huge concern during health record transfers. HIPAA has established powerful privacy laws, which protect an individual's personal health care information. Although there are severe penalties for HIPAA violations, the Office for Civil Rights has resolved many cases of the HIPAA privacy rule violation (Top Bits, 2010)

Even though HIPAA laws were enacted to protect an individual's private medical records these laws allow a small amount of medical disclosure without the permission of the individual.