

- Summarize the purposes and provisions of HIPAA in one sentence. Also, explain how HIPAA relates to medical ethics and etiquette. What are some possible ramifications of a health care industry without HIPAA regulations? Refer to p. 25 of *Medical Insurance* and provide examples. **Due day 2 in the Main Forum.**

The Health Insurance Portability and Accountability Act (HIPAA) of 1996 is intended to protect the private health information of an individual, prevent fraud and abuse in health care billing, establish standards for electronic transmission of health care transactions and guarantee health insurance coverage for workers and their families when they change or lose their jobs. Health care industry without HIPAA regulations would be disastrous; there would be no Code of Ethics to uphold. Private information regarding patients, employees and confidential business matters would be disclosed to any and everyone. Example; Mary Joe Taylor lives in a very small town, where everyone knows each other. On Monday morning Mary Joe Taylor visited the local Healthcare provider for a sickness she has. By Tuesday morning everyone in the town, including co-workers on the job where Mary Joe Taylor works, knows about the sickness and the treatments she is receiving for the sickness. By experiencing this type behavior, a patient would no longer feel confident in their Health care providers' ability to keep their private health information protected. Therefore, the medical treatment of patients would probably become complicated and maybe impossible because of a lack of trust between the patient and healthcare provider. Also, without HIPPA there would be no Professional etiquette in the health care facilities. Patients and other people who interact with the practice's staff would not receive courteous and respectful treatment. HIPPA is extremely important in health care.

Resource:

Bayes, ., Newby, ., & Valerius, . (2008). *An Integrated Claims Process Approach*. Retrieved March, 22, 2010 from <https://ecampus.phoenix.edu/classroom/ic/classroom.aspx>

Response 2

The purpose and provision of HIPAA is to make sure patients information is kept confidential. HIPAA relates to medical ethics and etiquette by making everyone who is working in the health related professionals share responsibility for observing the ethical code. Employees in the health related professionals must be truthful, honest, and know who they can give information to. Without HIPAA regulations health care industries may be fined. Criminal penalties can be

applied which includes larger fines and/or prison sentence. Physicians can lose their contracts and no longer be allowed to participate in any government health care program.

Response 3

The purpose and provision of HIPAA is to make sure patients information is kept confidential. HIPAA relates to medical ethics and etiquette by making everyone who is working in the health related professionals share responsibility for observing the ethical code. Employees in the health related professionals must be truthful, honest, and know who they can give information to. Without HIPAA regulations health care industries may be fined. Criminal penalties can be applied which includes larger fines and/or prison sentence. Physicians can lose their contracts and no longer be allowed to participate in any government health care program.

- How do effective medical compliance plans limit the risk of professional liability? Do you believe it is reasonable to hold a provider liable for the actions of his or her clerical staff? Support your opinion with an example. **Due day 4 in the Main Forum.**

Week # 2 Discussion Question 2

Response 1

The law *respondeat superior* is a law that clearly states that an employer is responsible for the actions of an employee. It is expected for physicians to abide by this law or they can be charged for the offenses of their employees. Compliance plans can be effective by limiting the liability of medical professional by auditing billing and coding to ensure compliance with government regulations, ensuring that policies and procedures are being followed consistently, making sure that training and communication is ongoing for the staff and immediate response to and correct errors. Personally I do not think that the provider should be liable for the actions of his or her clerical staff, although it is the providers responsibility to ensure that the staff is trained correctly and understands what to do in case of a mistake. For instance if a coder forgets to update a code which resulted in an over charge for a patients procedure and the coder did not report it to the provider because they did not realize the problem until an insurance company sent back the bill unpaid. The coder receives the bill with the explanation of why the bill was not paid and fails to correct the code and tells the provider about it and no follow up was done. The coder again repeats the same mistake for a fourth time which becomes a pattern and the insurance company then reports the physician to the Office of the Inspector General (OIG), then in this case I think the provider is liable.

Reference:

Valerius, J., Bayes, N.L., Newby, C., Seggern, J., (2008). Part 1 Working with medical insurance and billing. *Medical Insurance An Integrated Claims Process Approach* (3rd ed.). New York, NY: McGraw-Hill

Response 2

In my opinion I think that it is reasonable for a health care provider to be held liable for the actions of the clerical staff employees. When an individual is employed by a company they are a reflection of the company. When people are hired for a job they go through a training process for that particular Job. Most jobs require that their employees receive a performance evaluation regularly, based on what the company or state requires. Therefore as the company is liable for training their employee, then they should also be liable for the actions of the employee, in some cases. However everyone make mistakes. But in a profession such as the Medical Profession employees should constantly check behind each other. Today in most places people work in teams, so if one person miss or make a mistake one of the team members should recognize the mistake so it can be corrected, especially if the team consist of seven or eight people. Therefore, with that many team members no mistakes should be in the end results of a job that has been done.