

HIPAA Checklist: Are You in Compliance?

On April 14, 2004, all employer groups with less than \$5 million in plan costs, will be required to be HIPAA compliant in regards to privacy. Hollister Benefits Company, Inc. has taken all the necessary steps to ensure our compliance as your brokers. This checklist was developed by our administrator Kelly & Associates Insurance Group. This checklist is not intended for legal use. Please contact your attorney for further clarification.

As an employer, you must be able to show that:

- 1. You have taken steps to ensure that Protected Health Information (PHI) maintained by the Plan is not disclosed to persons who do not need to have access to the PHI in order to operate the Plan;
- 2. You have designated a “privacy officer” to manage and implement the Plan’s privacy policies as well as a contact person (who could be the same person) to be responsible for receiving privacy-related complaints;
- 3. You maintain records of PHI disclosures made (other than those made for routine Plan purposes or pursuant to an individual authorization);
- 4. You maintain “administrative, technical and physical safeguards” as appropriate given their particular facts and circumstances to protect the privacy of PHI;
- 5. You continuously train those individuals who are covered by the Plan’s privacy policy;
- 6. You have implemented, and you regularly review and revise as necessary, written policies and procedures to ensure compliance with the HIPAA privacy rule;
- 7. You have entered into “Business Associates Agreements” with all Business Associates of the Plan;
- 8. You have amended the Plan’s governing document and SPD to contain required HIPAA privacy language (not applicable to government plans); and
- 9. You provide the required HIPAA privacy notice to participants at the required times.

Source: Kelly & Associates Insurance Group Service Journal