

THE HEALTH INFORMATION TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT

Is your patient information secure?

Have you recently reviewed your practice's procedures for protecting your patients' privacy? Legislation passed in February of 2009 may give reason for dentists to update their processes.

As many people know, the American Recovery and Reinvestment Act of 2009 was passed in early 2009. However, it may surprise some dentists that another Act, The Health Information Technology for Economic and Clinical Health Act (HITECH), was passed with the stimulus bill foster the development of an infrastructure for the secure electronic communication of health records.

HITECH's goal is to develop an electronic infrastructure that will increase the efficiency of communication between dentists, doctors, hospitals, and patients. Increased electronic communication will escalate the risk of unauthorized access to patient records that are protected under HIPAA. In order to combat this risk HITECH will initiate the following regulations:

- A Federal breach notification requirement will be put into place. This regulation requires a provider to contact a patient if unencrypted health information was jeopardized. In addition, if a breach involving 500 or more patients is detected the provider must disclose the breach to a media outlet.
- Patients will be able to request Audit Trails of their health information. Under this requirement, providers will need to keep track of where and to whom patient information is transmitted.
- Prohibit the sale of an individual's health information
- Authorization will now be required from the patient for the disclosure of health information for marketing and fundraising

In addition to these requirements, HITECH also enacts penalties to deter violations of these standards.

Precautions You Can Take

There are some relatively easy precautions that you can take in order to protect your practice. Consider the following:

- Password protecting your computers and practice management system will prevent access to records by employees who are not authorized to view data. Also remember to log out of your systems when you go to the restroom, lunch, an appointment, or leave for the day.
- The use of encrypted email systems will help protect the information you send to patients, doctors, hospitals, or other dentists. An encrypted email system will assist in rendering electronic communications indecipherable.
- Make sure your virus software is up to date. Harmful virus's transmitted through the internet or email can allow hackers to access your computer and jeopardize patient privacy.

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- If you use wireless internet you may want to consider your security risks. Most wireless networks have a default security setting; however, the setting may not be enough to protect your network from unwanted visitors such as hackers. You can easily upgrade your security system on your router by only allowing certain MAC addresses (the social security number of a computer) to access your internet connection.

HITECH isn't all bad news is it?

Despite the heightened regulations on patient health records, HITECH is not all bad news. An electronic infrastructure for the transmission of patient records will result in efficiency gains for dental practices that adopt the new system. Moreover, there are some incentives to get dentists on board:

- Grants and loans may be available to dentists for the implementation of HITECH requirements.
- The American Recovery and Reinvestment Act also provides for Medicare incentive payments for the adoption of HITECH; however, payments are phased out over a 5 year period.

HITECH's increased efficiency gains and government incentives may lead to a more productive and patient service focused practice – these benefits are certainly well worth the added security measures required by HITECH.

The Dental Industry Service Team at Stambaugh-Ness will continue to stay abreast of any developments and communicate them to your dental practice. Should you have any questions on how Stambaugh-Ness can help, please contact Gary Markey at 717-757-6999/800-745-8233 or via email at gmarkey@stambaughness.com for additional information regarding your specific circumstances.

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