



HIPAA: Clarifying the Impact of a Welcoming Policy on Privacy and Confidentiality

Facilitator Preparation, prior to the session:

- Review your own organization's HIPAA Policy and any educational materials used for staff orientation and/or training.
- From the IPFCC website (www.ipfcc.org), download the article, "HIPAA – Providing New Opportunities for Collaboration" (<http://www.ipfcc.org/tools/downloads.html>).
- Review it beforehand and have a copy available at the educational session.
- For further information on HIPAA, check www.hhs.gov/ocr/hipaa and be prepared to tell participants what resources are available there (e.g., *A Patient's Guide to the HIPAA Privacy Rule: When Health Care Providers May Communicate About You with Your Family, Friends, or Others Involved in Your Care*). Encourage participants to visit the website themselves.

Read the following statements to the group and ask whether they are true:

- HIPAA limits family presence and participation.
- HIPAA prohibits a patient from accessing his or her medical record.
- Patients' personal health information cannot be discussed at the bedside in semi-private rooms.
- Family presence changes the information that can be written on white boards in patient rooms.
- Bedside change of shift report and rounds can only be done in private rooms when family members are not present.
- Only the designated Emergency Contact has access to information about a patient who is unconscious or incompetent.

Read each of the three HIPAA-related scenarios aloud and ask participants to discuss the question which follows each one.

- A new nurse joins the ICU staff and suggests that they should begin doing change of shift rounds at the bedside with family members present. The Nurse Manager and some staff are concerned about HIPAA implications since the unit does not have private rooms.
How can this be dealt with?
- A physician walks into a hospital room to go over a patient's test results with him. There are two younger people sitting on the bed next to the patient who appear to be his sons. One of the young men jumps up and says, 'Do you have the test results?'
What should the physician do?
- A patient arrives in the ER. He is unconscious. The EMTs have gone through his personal items and have found his brother's name and where he works. The charge nurse declines to call him citing concerns about HIPAA.
What would you do?