



HIPAA FACTS FOR CLERGY

HIPAA – the Health Insurance Portability and Accountability Act – has been in effect since April 14, 2003 and has very important ramifications for hospital visitation and interaction with patients by clergy or lay ministers. In a nutshell HIPAA provides a federal mandate for the following:

All healthcare providers, health plans and business associates who have access to patient information (written, electronic or ORAL) must keep this information confidential. This applies to all employees, as well as volunteers and visiting members of clergy.

PHI (protected health information) is any information that could identify the patient. PHI is used when it is shared within our organization – for treatment, payment or normal hospital operations (TPO). DISCLOSURE is how we communicate PHI to an outside person or organization. Information can be disclosed for TPO but will require patient authorization for most other purposes.

*****Examples of permitted disclosures include information provided to referring providers for continued treatment, supplying billing information to insurance carriers or conducting auditing for quality assessments within the hospital. These examples of TPO do not require patient authorization. Many, if not most, of the disclosures that occur in the healthcare setting fall into one of these categories – but it is important to clarify the purpose of any disclosure of patient information and remember that healthcare providers are obligated to clarify the role and need for information prior to disclosing it.*

How Does This Apply to You as Visiting Clergy or Lay Ministers?

All of us (employees, volunteers, etc.) should have access to the minimum necessary information in order to fulfill our responsibilities. As you have ANY information regarding a patient shared with you, whether directly by staff or indirectly through what you may observe or overhear, you must understand that you may only use this to determine how to best minister to the patient in the moment. Upon leaving the hospital all of this information must remain strictly confidential.

You should never assume that you may share any information, even with fellow congregation members for the purposes of prayer, unless you have the direct, specific permission of the patient. It is always best to have the patient share with others if possible, then to put yourself in the place of doing this. It is important to understand that

you do not have to agree to this document to be bound to this law. This document is informational and educational in nature. This law applies to you already whether you wish for it to or not.

Also, it is important to realize that a patient has the right to be in the hospital anonymously. If this request has been made, the patient's presence or room number may not be divulged to you by staff. Please understand that, in this case, it is not the hospital's decision but rather the patient's rights that are being respected. If such a patient desires a visit from you they should inform you of their presence, provide you with their room number AND inform Guest Services of your visit.

HIPAA is a very complex law. We have tried to summarize only those areas that affect you as visiting clergy or lay ministers. There is much in this law that affects the patient and their right to access and/or protect their medical records. For additional information or for clarification, feel free to contact Pastor Greg Hill, Supervisor of the Spiritual Care Department for all locations. The number is 856-641-7886.

Please sign the form on the application page acknowledging and accepting the following statement:

Clergy Confidentiality Statement

As a clergy member or lay minister visiting in any Inspira Health Network facility, I understand my obligation to maintain **complete confidentiality** of patient and hospital information in order to protect patients, families and members of Inspira staff from improper disclosure of confidential information – i.e. the spoken word, the medical record (patient chart), computer records, financial records, statistical data, minutes of meetings, personnel files, or other records of Inspira Health Network. Any accessing of information beyond that for which a clergy member is authorized, and/or disclosure of any such information to individuals outside the hospital, without the patient's or (if the situation warrants) hospital's permission will have serious consequences up to and including loss of official clergy visiting privileges and/or prosecution to the fullest extent of the law.

Thank you for participating with us in bringing the best of care on all levels to our patients in the Inspira Health Network – and for helping us Point them to Hope.